

# Washington, Saturday, October 2, 1943

# Regulations

TITLE 6-AGRICULTURAL CREDIT

Chapter II-War Food Administration (Commodity Credit)

[1943 C.C.C. Cotton Form 1, Supp. I]

PART 239-1943 COTTON LOANS

PURCHASE OR POOLING OF COTTON PRODUCERS' NOTES PURSUANT TO THE LENDING AGENCY AGREEMENT

Pursuant to the provisions of Title III. section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 203, 7 U.S.C., 1940 ed., Supp. I, 1330), as amended by the Act of December 26, 1941 (55 State 860), and the Act of October 2, 1942 (56 Stat. 767; 50 U.S.C., 1940 ed. Supp. II, 968), Commodity Credit Corporation has authorized the making of loans upon the security of cotton in accordance with the regulations in this part (1943 C.C.C. Cotton Form 1—Instructions). Such regulations are supplemented as follows:

§ 239.13a Rules and procedure relating to the purchase or pooling by Commodity Credit Corporation of cotton producers' notes pursuant to the lending agency agreement. (a) Cotton Froducers' Notes, C.C.C. Cotton Form A or C.C.C. Cotton Form E, (hereinafter called directors) "notes") will be eligible for purchase or for pooling only when tendered by the lending agency which is the payee of the notes and which, prior to the making of the loans evidenced by such notes, has executed a Lending Agency Agreement (C.C.C. Cotton Form D) authorizing the lending agency to make loans on cotton of the same crop as the cotton securing such notes and has delivered such agreement to the Regional Office of Commodity Credit Corporation, Masonic Temple Building, New Orleans, Louisiana (hereinafter called the "New Orleans Regional Office").

(b) All notes, together with the warehouse receipts representing the cotton securing such notes, or together with copies of duly executed and recorded Cotton Chattel Mortgages (C.C.C. Cotton Form F) and duly executed Mortgage Supplements (C.C.C. Cotton Form FF) covering such cotton, must be tendered to Commodity Credit Corporation at the . New Orleans Regional Office within 15 days after the respective dates of such notes. Notes must be tendered on a Lending Agency's Letter of Transmittal (C.C.C. Cotton Form C), which shall state whether the lending agency desires Commodity Credit Corporation to purchase the notes or to place them in a pool. All of the notes tendered on any one letter of transmittal must be secured by cotton stored in the same Federal Reserve district. Four copies of the letter of transmittal must accompany the notes, and not more than 40 notes may be covered by any one letter of transmittal

(c) Notes, when properly tendered, will be examined by the New Orleans Regional Office, and notes not found to be acceptable will be returned. Notes returned will be accepted if retendered in acceptable form. One copy of the letter of transmittal, on which any notes not accepted will be indicated, will be returned to the lending agency and will constitute a receipt for the accepted notes. Notes accepted by the New Orleans Regional Office will be forwarded by it to the Federal Reserve bank for the district in which the cotton is stored.

(d) If the notes accepted by the New Orleans Regional Office and forwarded to the Federal Reserve bank were tendered for purchase, the Federal Reserve bank, acting for Commodity Credit Corporation, will make payment therefor. The purchase price will be the face amounts of the notes, plus accrued interest at the rate of 1½ percent per analysis of the price of 1½ percent per analysis of the percent percen num from the respective dates of the notes to the date of their purchase.

(e) If the notes accepted by the New Orleans Regional Office and forwarded to the Federal Reserve bank were tendered for pooling, the Federal Reserve bank, acting for Commodity Credit Corporation, will issue to the lending agency named as payee in the notes, or to any other approved lending agency designated by the payee in the letter of transmittal on which the notes were tendered. a Certificate of Interest (C.C.C. Cotton Form H) in a face amount equal to the face amounts of the notes deposited, evidencing the deposit of such notes in the pool pursuant to the Lending Agency Agreement.

(f) A separate pool will be created for each Federal Reserve district in which

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(g) The value of a Certificate of Interest, at any time, shall be its face amount less the total amount of payments made upon it. At the time of its issuance, a payment upon the certificate will be made to the holder in such amount as may be necessary to make the original value of the certificate an integral multiple of \$100. At the time of its issuance, there will also be paid to the holder interest upon the total face amounts of the notes with respect to which the certificate is issued at the rate of 11/2 percent per annum from the respective dates of the notes to the date of the issuance of the certificate.

(h) A Certificate of Interest shall bear interest on the value thereof at the rate of 1½ percent per annum, payable at the time and in the manner provided in

paragraph 9 hereof.

(i) The total amount on hand as of the close of business on the last day of each month which was obtained through the collection of the principal amounts of notes comprising the pool, or the purchase of such notes by Commodity Credit Corporation, will be paid during the 10-day period following the end of the month (hereinafter called the "distribution period") upon Certificates of Interest outstanding as of the close of business on the last day of the month: Provided, That such payments will not be made if Commodity Credit Corporation determines that such action is impracticable because of the insufficiency of the total amount available for payments. Payments upon certificates will be made upon the basis of the ratio of the value of each certificate to the value of all cer-

tificates upon which payments will be made: Provided, That the amount which would otherwise be paid upon any certificate may be (1) increased to an amount equal-to the value of the certificate if the value of the certificate is less than \$100 or (2) increased or decreased so as to make such payment an integral multiple of \$100: And, provided further, That the amount of any such payment shall in no event exceed the value of the certificate. Interest will be paid on each such payment at the rate of 1½ percent per annum from the date of the certificate upon which the payment is made to the date of such payment.

(j) A Certificate of Interest shall be retired when the total amount of payments made upon the certificate equals

the face amount thereof.

(k) A Certificate of Interest may be purchased from the holder thereof, at any time, by Commodity Credit Corporation by paying the holder the value thereof, plus interest thereon at the rate of 1½ percent per annum from the date of the certificate to the date of purchase, and will be purchased by Commodity Credit Corporation at such amount upon demand by the holder thereof. Commodity Credit Corporation may also purchase notes from the pool at any time by paying the face amount of such notes, plus charges and interest.

(1) A Certificate of Interest may be transferred, subject to the following conditions: Transfers may be made only to a lending agency which has executed a Lending Agency Agreement (C.C.C. Cotton Form D). Only two transfers may be made. Transfers may be made only on an Assignment of Certificate of Interest (C.C.C. Cotton Form I) and will be effective only upon the receipt and acceptance of such form by Commodity Credit Corporation. An Assignment of Certificate of Interest received during a distribution period will not be effective until the end of such period and payments upon the certificate during such distribution period will be made to the transferor rather than the transferee.

(m) The Federal Reserve bank by which a Certificate of Interest is issued will act as custodian of the certificate for the holder until such certificate is retired or purchased by Commodity Credit Corporation, and such bank will enter on the certificate all payments made.

thereon.

(n) If any amount remains in the pool after all certificates issued with respect to the pool have been retired, such amount shall revert to Commodity Credit Corporation.

(o) If, upon final liquidation of the pool, the proceeds thereof are not sufficient to retire all outstanding certificates, the Corporation will pay to the holders of such certificates the value thereof, plus interest thereon at the rate of 1½ percent from the respective dates of such certificates to the date of retire-

Dated: July 15, 1943.

J. B. HUTSON, President.

[F. R. Doc. 43-15969; Filed, September 30, 1943, 4:25 p. m.]

# TITLE 7-AGRICULTURE

Chapter VII-War Food Administration (Agricultural Adjustment)

[ACP-1941-20]

PART 701-AGRICULTURAL CONSERVATION PROGRAMI 1

#### **BOIL BUILDING PRACTICES**

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in the War Food Administrator by Executive Order No. 9322 as amended by Executive Order No. 9334, the 1941 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.202 (f) is amended by striking out the words "during a period of not more than 12 months" as they appear in the first sentence thereof.

Done at Washington, D. C., this 30th

day of September 1943.

ASHLEY SELLERS, Acting War Food Administrator.

[F. R. Doc. 43-15962; Filed, September 30, 1943; 4:26 p. m.]

Chapter X-War Food Administration (Production Orders)

[FPO 9, Revised]

# PART 1220—OILSEEDS

LIMITATIONS ON SALE, SHIPMENT, AND INVENTORIES OF OILSEED MEAL AND ON USE OF SOYBEAN FRODUCTS

Section 1220.2 is hereby revised and amended to read as follows:

§ 1220.2 Limitations on sale, shipment, and inventories of oilseed meal and on use of soybcan products—(a) Definitions. For the purpose of this order:

(1) "Ollseed meal" means cottonseed oil cake, meal, or pellets, soybean oil cake, meal, or pellets, peanut oil cake, meal, or pellets, and linseed oil cake, meal, or pellets.

(2) "Fifteen days' supply" or "thirty days' supply" means the total tonnage of any oliseed meal which, based on his current method and rate of operation, is needed by a person to fill his manufacturing, sales, or consumption requirements during a period of fifteen or thirty days, respectively, next succeeding any given date.

(3) "Estimated delivery date" means the date determined by adding to the date of shipment specified in a purchase order the usual number of days required for transit of oilseed meal from shipping point to destination point on board railroad car or truck.

(4) "Purchase Order" means any contract or offer to purchase, any agreement to acquire by exchange, any request for shipment or delivery under existing contracts, or any other action taken by any person to obtain delivery of oilseed

(5) "Delivery date inventory" means the quantity of oilseed meal which a person has on hand on the date he places a purchase order plus the quantity of oilseed meal to be delivered to such, person pursuant to other outstanding purchase orders between the date of such purchase order and the estimated delivery date of the oilseed meal covered thereby, minus the quantity of oilszed meal which he will use in meeting his manufacturing, sales or consumption requirements during such period.

(6) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, including the States of the United States, their political subdivisions and agencies.
(7) "Processor" means any person

operating a processing plant for produc-

ing any oilseed meal.
(8) "Grinder" means any person who grinds oilseed cake into meal, sized cake, or pellets for sale as such or for use in the manufacture of feed.

(9) "Feeder" means any person who buys oilseed meal for feeding livectock or poultry.

(10) "Carload lot" means a lot of oilseed meal of 30 tons or more.

(11) "Less than carload lot" means a quantity other than a carload or pool car lot, and includes truck quantities.
(12) "Pool car lot" means a railroad

car lot in which two or more buyers have combined for the purpose of obtaining a carload rail freight rate.

(13) "Crop year" means the period from August 1 to July 31 when applied to oilsced meal derived from peanuts or cotton; the period from September 1 to August 31 when applied to oilseed meal derived from flaxseed; and the period from October 1 to September 30 when applied to oilseed meal derived from soybeans.

(14) "Director" means the Director or Acting Director of Food Production of the War Food Administration.

(b) Set aside requirement. If ordered by the Director, any processor or grinder shall between the thirtieth and sixtieth days succeeding the receipt of such order set aside for sale and delivery to Commodity Credit Corporation or such other person as the Director may designate, such quantity of oilseed meal as the Director may specify, not exceeding six times his average daily production (based on the number of days on which he produced oilseed meal, and the quantity produced, during the thirty day pariod succeeding the receipt of the Director's order). Orders of the Director under this paragraph shall not be issued with respect to any processor or grinder oftener than once during any thirty day period.

(c) Restrictions on shipments into designated areas. The Director is authorized from time to time to prohibit the shipment or delivery of any kind of oilseed meal into such areas as he may designate from any point outside such areas. No person shall make or accept any shipment or delivery of oilseed meal in vialation of any order issued by the Direc-

<sup>&</sup>lt;sup>1</sup>Subpart C-1941.

tor pursuant to the authority granted by this paragraph (c).

(d) Restrictions on cottonseed processors' sales in less than carload lots. No processor of cottonseed shall sell or agree to sell in less than carload lots a greater percentage of the aggregate quantity of cottonseed cake, meal and pellets produced by him during the period August 1, 1943, to July 31, 1944, inclusive; than the greater of (1) fifty percent of such aggregate quantity, or (2) the percentage of such processor's aggregate production of cottonseed cake, meal, and pellets during the period August 1, 1941, to July 31, 1943, inclusive, sold in less than carload lots.

(e) Prohibition on sale, purchase and use of soybean products, other than soybean oil meal, for feed. No person shall sell or deliver and no person shall purchase or accept delivery of soya flour, grits or similar edible products of soybeans, other than soybean oil meal, for use as or manufacture into feed; and no such products shall be used as or manufactured into feed.

(f) Inventory limitation. (1) No person other than a feeder shall place any purchase order for any oilseed meal if, on the estimated delivery date, the tonnage to be delivered under such order plus the delivery date inventory of such person would exceed a fifteen days' supply; and no feeder shall place any such purchase order if, on the estimated delivery date, the tonnage, to be delivered under such order plus the delivery date inventory of such feeder would exceed a thirty days' supply. No person other than a feeder shall accept delivery of any oilseed meal which, together with such person's inventory of oilseed meal, would exceed a fifteen days' supply; and no feeder shall accept delivery of any oil-seed meal which, together with such feeder's inventory, would exceed a thirty days' supply.

(2) The limitations of paragraph (f) (1) hereof shall not apply to the follow-

ing purchases of oilseed meal:

(i) Purchases by any person in minimum carload lots, as determined pursuant to Office of Defense Transportation regulations, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person.

(ii) Purchases by any person in quantities of 2,000 pounds or less, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person.

(iii) Purchases by any ranchman, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such ranchman, and such purchases are necessary for economical use of transportation facilities under Office of Defense Transportation regulations and to provide a readily available supply of oilseed meal for ranch feeding purposes.

(g) Limitation on deliveries. No person shall deliver oilseed meal to any person unless the person to whom such oilseed meal is to be delivered tenders at or

before the time of delivery a certificate in substantially the following form:

The undersigned certifies to his vendor and the United States Department of Agriculture that he is familiar with the provisions of Food Production Order No. 9, as revised by the War Food Administrator, and all amendments thereto (if any), and that the purchase or acceptance of the quantity of oilseed meal ordered from said vendor will not cause his inventory of oilseed meal to exceed the quantity permitted by Food Production Order No. 9, as amended, or that such purchase or delivery falls under one of the exceptions specified in such order.

Purchaser
Address
Date

(h) Processors' inventories. If the Director shall so order, no processor shall at any time after thirty days from the issuance of such order acquire an unsold inventory of oilseed meal exceeding either (1) the quantity produced by him during the fifteen days on which he last produced oilseed meal, or (2) his inventory of oilseed meal on the corresponding day of the crop year 1941–42, whichever quantity is greater.

(i) Existing contracts. The restrictions imposed by this order shall be effective without regard to the rights of creditors, existing contracts or payments made.

(j) Audits and inspections. The Dinector shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of oilsed meal of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

the provisions of this order.

(k) Records and reports: Every person subject to this order shall maintain for not less than two years accurate records concerning his monthly production, sales, purchases, contracts for sale or purchase, deliveries and shipment of olseed meal affected by this order. The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(1) Budget Bureau approval. The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping and reporting requirements are subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) Petition for relief from hardship. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(n) Violations. The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using oilseed meal; or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(o) Delegation of authority. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(p) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the United States Department of Agriculture, Food Production Administration, Washington 25, D. C., Ref. FPA 9.

(q) Commodity Credit Corporation Oilseed Order No. 6 superseded. This order supersedes in all respects Ollseed Order No. 6 issued by the Commodity Credit Corporation on December 24. 1942,1 except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order, said Oilseed Order No. 6 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Oilseed Order No. 6 shall be considered under paragraph (m) hereof.

(r) Effective date. This order shall become effective at 12:01 a. m., e. w. t., October 1, 1943.

(E.O. 9280, 7 F. R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 30th day of September 1943.

Marvin' Jones, War Food Administrator.

[F. R. Doc. 43-15959; Filed, September 30, 1943; 4:26 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-1]

PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE BALTIMORE, MD., SÂLES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R.

<sup>&</sup>lt;sup>1</sup>7 F.R. 10901, 8 F.R. 44, 820.

12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as fol-

§ 1401.34 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.
(2) The term "order" means Food Dis-

tribution Order No. 79, issued on Septem-

ber 7, 1943, as amended.
(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts,

or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Baltimore, Maryland, sales area, and is referred to hereinafter as the "sales area": The city of Baltimore; election district 5 in Carroll County; election districts 1, 2, 3, 9, 12, 13, 14, and 15 in Baltimore County; election districts 2, 3, and 5 in Anne Arundel County; and election districts 1 and 2 in Howard County. All of the sales area is in the State of Maryland.

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries de--scribed in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are - show the information required by the

also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(g) Handler exemptions. Quotas shall not apply to any handler who de-Quotas livers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound, of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to subhandlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardship. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream. and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(p) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943. ROY F. HENDRICKSON,

Director of Food Distribution. [P. R. Doc. 43-15945; Filed, September 30, 1943; 12:16 p. m.]

# [FDO 79-2]

# PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE ST. LOUIS METRO-POLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8

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F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

8 1401.45 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "order" means Food Distribution Order No. 79, issued on Septem-

ber 7, 1943, as amended.
(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts,

or cream for delivery.

- (b) Milk sales area. The following area is hereby designed as a "milk sales area" to be known as the St. Louis Metropolitan sales area, and is referred to hereinafter as the "sales area": All municipal corporations, military reservations and unincorporated territory within the geographical limits of the city of St. Louis and all townships except Meramec in St. Louis County, the township of St. Charles in St. Charles County, all in the State of Missouri; the townships of East St. Louis, Stites, Canteen, Centerville, Sugar Loaf, Stookey, St. Clair, Shiloh Valley, Mascoutah, Lebanon, O'Fallon, Caseyville, Millstadt, in St. Clair County, Columbia and Waterloo precincts in Monroe County, the town-ships of Helvetia, St. Jacob, Jarvis, Collinsville, Nameoki, Venice, Edwardsville, Chouteau, Wood River, Godfrey and Alton in Madison County, all in the State of Illinois.
- (c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds

of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

o(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; •and

(3) Milk byproducts, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not . [F. R. Doc. 43-15941; Filed, September 30, to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the follow-

ing reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk,

cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943.

ROY F. HENDRICKSON. Director of Food Distribution.

1943; 12:15 p. m.]

#### [FDO 79-3]

#### Part 1401-Dairy Products

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE CLEVELAND, OHIO. SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.46 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "order" means Food Distribution Order No. 79, issued on Sep-

tember 7, 1943, as amended.
(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Cleveland, Ohio, sales area, and is referred to here-

inafter as the "sales area":

The city of Cleveland, Cuyahoga County, the villages of Avon and Avon Lake, the townships of Ridgeville and Columbia, in Lorain County, the townships of Northfield Center and Twinsburg, in Summit County, the township of Aurora in Portage County, the townships of Bainbridge, Russell and Chester in Geauga County, the townships of Kirtland, Willoughby and Mentor in

Lake County, all in the State of Ohio.

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

- (1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such - handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;
- (2) Multiply the result of the foregoing calculation by the number of days in the quota period; and
- (3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds

percent of pounds of of milk and . butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

- (g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:
  - (1) Milk, one quart of milk;
- (2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85. percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

- (h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.
- (i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.
- (j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but

prior to certification the market agent may (i) deny the patition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Danials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers'

quotas:
(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such sched-

(n) Expense of administration. Each handler shall pay to the market agent. within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a.m., e. w. t., October 4, 1943.

Issued this 30th day of September, 1943.

ROY F. HENDRICKSON, Director of Distribution.

[F. R. Doc. 43-15942; Filed, September 30, 1943; 12:15 p. m.]

#### [FDO 79-4] ··

#### PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE WASHINGTON, D. C., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.38 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof;
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "order" means Food Distribution Order No. 79, issued on September 7, 1942, or amended

ber 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or

cream for delivery.

- (b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Washington, D. C. sales area, and is referred to hereinafter as the "sales area." The city of Washington, D. C., and the entire area encompassed by and including the election districts of Potomac, Rockville, Gaithersburg, Olney, and Colesville in Montgomery County, Maryland; Laurel, Bowie, Queen Anne, Marboro, Mellwood, Surratts, and Oxon Hill in Prince Georges County, Maryland; Alexandria City, Virginia; the election districts of Occoquan in Prince William County, Virginia; and Mt. Vernon, Lee, Providence, and Dranesville in Fairfax County, Virginia.
- (c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area.
- (d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.
- (e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:
- (1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butter-

fat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentages: (1) Milk: 100 percent of pounds of milk and percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

- ·(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:
  - (1) Milk, one quart of milk;
- (2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

- (h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.
- (i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.
- (j) Petition for relief from hardships.

  (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on

him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas:

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such

schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(6) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a.m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943.

Roy F. Hendrickson, Director of Food Distribution.

[F. R. Doc. 43-15943; Filed, September 30, 1943; 12:16 p. m.]

#### [FDO 79-5]

# PART 1401-DATRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID HILK AND CREAM IN THE NORFOLK-PORTS. MOUTH-NEWPORT NEWS, VA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.37 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

Distribution Order No. 79, as amended.
(2) The term "order" means Food Distribution Order No. 79, issued on Sep-

tember 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Norfolk-Portsmouth-Newport News, Va., sales area, and is referred to hereinafter as the "sales area": The cities of Norfolk, Portsmouth, and Newport News, and the cities of Hampton and South Norfolk; the magisterial districts of Chesapeake and Wythe in Elizabeth City County; the districts of Deep Creek, Tanners Creek, Washington, and Western Branch in Norfolk County; the district of Kempsville in Princess Anne County; and the district of Newport in Warwick County, all in the State of Virginia.

(c) Base period. The calendar month

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliverles of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliverles described in (h) hereof and adjusting such deliverles for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the

quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 400 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardships.

(1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(l) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such

schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Violations. The market agent

(0) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has

made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the

same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943. ROY F. HENDRICKSON, Director of Food Distribution.

[F. R. Doc. 43-15953; Filed, September 30, 1943; 12:15 p. m.]

# [FDO 79-6]

# PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID-MILK AND CREAM IN THE RICHMOND, VA., SALES AREA

Pursuant to the authority vested in me by Food Distribution-Order No. 79 (8 F. R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.39 Quota restrictions—(a) Definitions. When used in this order, un-less otherwise distinctly expressed or manifestly incompatible with the intent hereof:
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.
- (2) The term "order" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.
- (3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.
- (b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Richmond, Virginia, sales area, and is referred to hereinafter as the "sales area": The city of Richmond and the magisterial district of Manchester in Chesterfield County, Virginia; the magisterial districts of Brookland, Fairfield, Tuckahoe and Varina in Henrico County, Virginia.
- (c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area.
- (d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream;

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

- (h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to
- (i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or trans-

fers granted by the market agent shall be reviewed by the Director upon

application.

(j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

- (3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (1) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60
- (4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the fol-

lowing reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers'

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period: and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such

schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.
(o) Violations. The market agent.

shall report all violations to the Direc-

tor together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not o exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943,

Roy F. Hendrickson, Director of Food Distribution.

[F. R. Doc. 43-15940; Filed, September 30, 1943; 12:15 p. m.]

# [FDO 79-7]

# PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND-CREAM IN THE CHICAGO, ILL., METROPOLITAN MILK SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.40 Quota restrictions (a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "order" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Chicago, Illinois, metropolitan milk sales area, and is referred to hereinafter as the "sales area". The city of Chicago and the entire area included in:

The townships of Waukegan, Shields, Deerfield, and West Beerfield in Lake County, Illinois; the counties of Cook and DuPage in Illinois; the townships of Aurora, Batavia, Dundee, Elgin, Geneva, and St. Charles in Kane County, Illinois; the townships of Calumet, Hobart, and North in Lake County, Indiana.

(c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 400 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliverles to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(1) Petition for relief from hardships.
(1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a patition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk cream and milk byproducts

of milk, cream, and milk byproducts.
(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such

schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim

milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943. ROY F. HENDRICKSON, Director of Food Distribution.

[F. R. Doc. 43-15952; Filed, September 30, 1943; 12:15 p. m.]

#### IFDO 79-81

PART 1401-DAIRY PRODUCTS .

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE OMAHA-COUNCIL BLUFFS SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.35 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food

Distribution Order No. 79, as amended.
(2) The term "order" means Food
Distribution Order No. 79, issued on Sep-

tember 7, 1943, as amended.
(3) The term "sub-handler" means any handler, such as a peddler, vender, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Omaha-Council Bluffs sales area, and is referred to hereinafter as the "sales area"; the territory within the cities of Omaha, Nebraska, and Council Bluffs, Iowa; the territory within Kane, Lake, Garner, and Lewis Townships in Pottawattamie County, Iowa; the territory within East Omaha, Florence, Union, Benson, Mc-Hugh, Moorehead, McArdle, Loveland,

Ralston, Ashland, and May Precincts in Douglas County, Nebraska; and the territory within Gilmore, Highland, and Bellevue Townships in Sarpy County, Nebraska.

(c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each milk, milk byproducts, and cream (and of butter fat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period:

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and 100 percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 125 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream;

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of .cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded. from the computation of deliveries in schedules.

the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based. and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts,

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight, of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the

same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take affect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943.

ROY F. HENDRICKSON, Director of Food Distribution.

[F. R. Doc. 43-15951; Filed, September 80, 1943; 12:15 p. m.]

# [FDO 79-9]

# PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE CINCINNATI, OHIO, SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.44 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "order" means Food Distribution Order No. 79, issued on Septem-

- ber 7, 1943, as amended.
  (3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.
- (b) Milk sales area. The following area is hereby designated as a "Milk sales area" to be known as the Cincin-

nati, Ohio sales area, and is referred to hereinafter as the "sales area": The city of Cincinnati and Hamilton County, in the State of Ohio; magisterial districts 4 and 7 in Kenton, that part of district 6 lying in Kenton County, and district 4 in Campbell County, all in the State of Kentucky.

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentages: (i) Milk: 100 percent of pounds of milk and percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

- (g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:
  - (1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; กทล

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(i) Petition for relief from hardships.
(1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name. address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investi-

gate the representations and facts stated

therein.

i (3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the patition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such record of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

- (n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.
- (o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.
- (p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.
- (q) This order shall take effect at 12:01 a.m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943.

Roy F. Hendrickson, Director of Food Distribution.

[F. R. Doc. 43-15950; Filed, September 30, 1943; 12:14 a.m.]

# [FDO 79-10]

# PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE CANTON, OHIO, SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.43 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:
- (1) Each term defined in Food Distribution Order No. 79, as amended; shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.
- (2) The term "order" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.
- (3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Canton, Ohio sales area, and is referred to hereinafter as the "sales area": The city of Canton and Stark County, in the State of Ohio.

(c) Base period. The calendar month

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

- (1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) here-of) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;
- (2) Multiply the result of the foregoing calculation by the number of days in the quota period; and
- (3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

· (f) Quotas for handlers who are also producers. Quotas for handlers who are also-producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

- (g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:
  - (1) Milk, one quart of milk:
- (2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base

period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardships.
(1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas:

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

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(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Féderal Reports Act of 1942.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943. ROY F. HENDRICKSON. Director of Food Distribution.

[F. R. Doc. 43-15948; Filed, September 30, 1943; 12:14 a. m.]

# [FDO 79-11]

# PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE TOLEDO, OHIO, SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F. R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.42 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.
  (2) The term "order" means Food Dis-

tribution Order No. 79, issued on Septem-

- ber 7, 1943, as amended.
  (3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts or cream for delivery.
- (b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Toledo, Ohio sales area, and is referred to here-

inafter as the "sales area": The city of Toledo; the villages of Ottawa Hills, Maumee, Sylvania, Harbor View, Ross-ford and Trilby in Lucas County, the townships of Monclova, Springfield, Adams, Sylvania, Washington, Jerusalem and Oregon in Lucas County, and the townships of Perrysburg, Ross and Lake in Wood County, all in the State of Ohio; the village of Lakeside and the townships of Whiteford, Bedford and Erie in Monroe County, all in the State of Michigan.

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.
(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the

quota period; and

- (3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)
- (f) Quotas, for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.
- (g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:
  - (1) Milk, one quart of milk;
- (2) Cream, one-half pint of cream; and
- (3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.
- (h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for

such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period doliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. D3nials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the patition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts

stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition: or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Danials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers'

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk,

oream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining

information which the Director may require for the establishment of quotas

as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the-terms of approval by the Director of such sched-

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.
(o) Violations. The market agent

shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the

same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at

12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943. ROY F. HENDRICKSON,

Director of Food Distribution.

[F. R. Doc. 43-15949; Filed, September 30, 1943; 12:14 p. m.]

# [FDO 79-12]

PART 1401-DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE ROANOKE, VA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

- § 1401.36 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:
- (1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "order" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Roanoke, Virginia, sales area, and is referred to hereinafter as the "sales area": The city of Roanoke and the magisterial districts of Big Lick, Cave Spring, and Salem, all in Roanoke County, Virginia.

(c) Base period. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butterfat are specified in (e)(3)(i) or (e)(3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in

the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and \_\_\_\_ percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (iii) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot, or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

- (g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:
  - (1) Milk, one quart of milk;
- (2) Cream, one-half pint of cream;
- (3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(i) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by tho Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers'

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of . approval by the Director of such schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota

regulations under the provisions hereof.
(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943. ROY F. HENDRICKSON,

Director of Food Distribution.

[F. R. Doc. 43-15947; Filed, September 30, 1948; 12:14 p. m.]

# [FDO 79-13]

# PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN THE DAYTON, OHIO, SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.41 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food-Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.
(2) The term "order" means Food Dis-

tribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or

cream for delivery.

(b) Milk sales area. The following area is hereby designated as a "milk sales area" to be known as the Dayton, Ohio, sales area, and is referred to hereinafter as the "sales area": The city of Dayton, Montgomery County, and the townships of Bath, Beaver Creek, Sugar Creek in Greene County, all in the State of Ohio.

(c) Base period. The calendar month of June 1943 is hereby designated as the

base period for the sales area.

(d) Quota period. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) Handler quotas. Quotas for each handler in the sales area in each quota period shall be determined as follows:

(1) Divide the total deliveries of each of milk, milk byproducts, and cream (and of butterfat in milk or in cream where percentages of pounds of butter-fat are specified in (e) (3) (i) or (e) (3) (ii) hereof) made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (h) hereof and adjusting such deliveries for the transfers set out in (1) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days

in the quota period; and

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent of pounds of milk and — percent of pounds of butterfat; (ii) Cream: 75 percent of pounds of cream and 75 percent of pounds of butterfat; and (III) Milk byproducts: 75 percent of pounds of milk byproducts other than cottage, pot or baker's cheese and of the pounds of skim milk equivalent of cottage, pot, or baker's cheese. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) Quotas for handlers who are also producers. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base

(g) Handler exemptions. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following:

(1) Milk, one quart of milk;

(2) Cream, one-half pint of cream; and

(3) Milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(h) Quota exclusions and exemptions. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of the order, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(1) Transfers and apportionment of quotas. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon appli-

(j) Petition for relief from hardships. (1) Any person affected by the order or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated

therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition; or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified,

or reversed by the Director.

(k) Reports. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preced-

ing quota period; and

(3) Handlers exempt from quotas pursuant to (f) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(1) Records: Handlers shall keep and

shall make available to the market agent

such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of the order.

(m) Distribution schedules. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such

schedules.

(n) Expense of administration. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

.(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(p) Bureau of the Budget approval. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(q) This order shall take effect at 12:01 a. m., e. w. t., October 4, 1943.

Issued this 30th day of September 1943.

ROY F. HENDRICKSON,

[F. R. Doc. 43-15946; Filed, September 30, 1943; 12:14 p. m.]

Director of Food Distribution.

# [FDO 7-2]

# PART 1430-SUGAR

# RECONDITIONING DAMAGED SUGAR

Pursuant to the authority vested in me by Food Distribution Order No. 7, as amended (8 F.R. 10605), issued by the War Food Administrator on July 28, 1943, it is hereby ordered as follows:

§ 1430.7 Reconditioning damaged sugar. (a) Damaged sugar which has been previously charged against an allotment may be reconditioned by a refiner without such sugar being charged against his allotment.

(b) Damaged sugar which has not been previously charged against an allotment, when reconditioned by a refiner in the continental United States, shall be charged against his allotment.

(c) Notwithstanding the provisions of paragraphs (a) and (b) hereof, no refiner shall purchase, import, or accept

delivery of damaged sugar for the purpose of reconditioning, unless specifically authorized by the Director pursuant to the provisions of Food Distribution Order 7, as amended.

(d) For the purposes of this order, the terms "refiner", "continental United States", and "Director" shall be defined as set forth in Food Distribution Order No. 7, as amended, and the term "allotment" shall mean an allotment established by the Director for a refiner pursuant to Food Distribution Order No. 7, as amended.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 7, as amended, 8 F.R. 10605)

Issued this 30th day of September 1943.

C. W. KITCHEN, Acting Director of Food Distribution.

[F. R. Doc. 43-15944; Filed, September 30, 1943; 12:16 a. m.]

# [FDO 30, Amdt. 2]

PART 1406—DPHYDRATED FRUIT, VEGE-TABLES, AND SOUPS

CONSERVATION AND DISTRIBUTION OF DE-HYDRATED VEGETABLES

Food Distribution Order No. 30, as amended (8 F.R. 3385, 7627), § 1406.1, issued under authority of the Secretary of Agriculture on March 19, 1943, is further amended by deleting the provisions of (a) (3) and inserting, in lieu thereof, the following:

(3) The term "governmental agency" means (i) the Quartermaster Corps of the United States Army; (ii) the Food Distribution Administration (including but not restricted to the Federal Surplus Commodities Corporation), War Food Administration; (iii) a consignee designated in written shipping instructions issued pursuant to a contract executed with a governmental agency specified in paragraph (a) (3) (i) or paragraph (a) (3) (ii) hereof; or (iv) any other instrumentality or agency designated by the War Food Administrator.

This amendment shall become effective at 12:01 a. m., e. w. t., October 2, 1943. With respect to violations of said Food Distribution Order No. 30, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 30, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. 30, 8 F.R. 3385, 7627)

Issued this 30th day of September 1943.
ASHLEY SELLERS,

Acting War Food Administrator.

[F. R. Doc. 43-15960; Filed, September 30, 1943; 4:25 p. m.]

[FDO 26, Revocation]

PART 1410-LIVESTOCK AND MEATS

TERMINATION OF REGULATIONS AFFECTING PURCHASE AND SALEOF LIVESTOCK

Food Distribution Order No. 26 (8 F.R. 2784), issued under authority of the Secretary of Agriculture on March 5, 1943, is revoked as of 12:01 a.m., e. w. t., September 30, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 26, prior to the effective date of this revocation, all provisions of Food Distribution Order No. 26, in effect prior to this revocation shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 30th day of September 1943.
ASHLEY SELLERS,

Acting War Food Administrator.

[F. R. Doc. 43-15961; Filed, September 30, 1943; 4:25 p. m.]

# PART 1401—DAIRY PRODUCTS IFDO 2-31

REPORTS REQUIRED FROM CERTAIN PRODUCERS AND AUTHORIZED RECEIVERS OF BUTTER

Pursuant to the authority vested in me by Food Distribution Order No. 2, as amended (8 F.R. 253, 5696), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1401.16 Reports—(a) Definitions. Each term defined in Food Distribution Order No. 2, as amended, shall, when used herein, have the same meaning as set forth in said Food Distribution Order No. 2, as amended, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof.

(b) Reporting requirements. (1) Each person who produced more than 1000 pounds of butter, whey cream butter, or both, during any of the calendar months of February, March, April, May, June, July, August, or September, 1943, shall correctly complete form "Dairy Products Report No. 2—Butter (Creamery Sctaside Butter Report)" for each such calendar month and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than October 10, 1943.

(2) Each producer of butter who has in his possession at any time during the calendar month of October 1943 or any subsequent calendar month any butter set aside pursuant to the provisions of Food Distribution Order No. 2, as amended, shall, until all such set-aside butter is delivered to designated agencies, correctly complete form "Dairy Products Report No. 2—Butter (Creamery Setaside Butter Report)," for each such calendar month and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chi-

cago, Illinois, on or before the tenth day of the next succeeding calendar month.

(3) Each authorized receiver shall correctly complete form "Authorized Receiver's Report—Butter," for each of the calendar months of February, March, April, May, June, July, August, and September, 1943, and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than October 15,

(4) Each authorized receiver who has in his possession or receives at any time during October 1943 or any subsequent calendar month any butter set aside pursuant to the provisions of Food Distribution Order No. 2, as amended, shall, until all such set-aside butter is delivered to designated agencies, correctly complete form "Authorized Receiver's Report— Butter," for each such calendar month and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, on or before the fifteenth day of the next succeeding calendar month.

(5) After the effective time of this order each producer of butter, whey cream butter, or both, shall correctly complete form "Dairy Products Report No. 1" (U.S.D.A. Form No. O. E. 9-119), for each calendar month and shall mail such completed form to the United States Department of Agriculture, Box 6910-A, Chicago, Illinois, not later than the tenth day of the next succeeding calendar month.

(c) Exceptions. No person or author-'ized receiver referred to in (b) (1) or (b) (3) hereof shall be required to complete and mail the forms as required by (b) (1) or (b) (3) hereof for any month named in said paragraphs if said person or authorized receiver shall have completed and mailed the required form for such month prior to the effective date of this order.

(d) Reporting requirements approved. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Effective date. This order shall

become effective at 12:01 a. m., e. w. t., October 2, 1943.

Œ.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 2, 8 F.R. 253, 5696)

Issued this 30th day of September 1943. ROY F. HENDRICKSON, Director of Food Distribution.

[F. R. Doc. 43-16030; Filed, October 1, 1943; 11:56 a. m.]

# [FDO 83]

PART 1405-FRUITS AND VEGETABLES APPLES

The fulfillment of the requirements for the defense of the United States will result in a shortage in the supply of apples for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.28 Restrictions relative to apples—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible

with the intent hereof:
(1) The term "apples" means and includes all varieties of apples except all varieties of crab apples and of Lady

apples.

(2) The term "restricted apples" means and includes, except McIntosh and Delicious apples and apples heretofore or hereafter released pursuant to Food Distribution Order No. 69 (8 F.R. 10477), (i) all apples grown in or shipped for commercial purposes into any of the following designated counties in the State of Washington, if such apples are smaller than 21/4 inches in diameter or do not meet the minimum requirements of fancy grade, or higher grades, as specified in the "Washington Standards for Apples," promulgated May 1939: Yakima, Benton, Kittitas, Walla Walla, Chelan, Okanogan, Columbia, Grant, Dougins, Stevens, Spokane, Skamania, Klickitat, or Asotin; (ii) all apples grown in or shipped for commercial purposes into any of the following designated counties in the State of Oregon, if such apples are smaller than 21/4 inches in diameter or do not meet the minimum requirements of fancy grade, or higher grades, as specified in the "Oregon Standards for Apples," promulgated on July 28, 1937, reissued July 31, 1941: Hood River, Wasco, Umatilla, or Union; (iii) all apples grown in or shipped for commercial purposes into any of the following designated counties in the State of California, if such apples are smaller than 21/4 inches in diameter or do not meet the minimum requirements of fancy grade. or higher grades, for apples, as specified in the "Agricultural Code" of the State of California, as amended: Mendocino, Sonoma, Napa, Santa Clara, Santa Cruz, or Monterey; or (iv) all apples grown in or shipped for commercial purposes into any of the following designated areas, if such apples are smaller than 234 inches in diameter or do not meet the minimum requirements of the U.S. No. 1 grade, or higher grades, as defined in the United States Standards for Fresh Apples, signed by the Secretary of Agriculture on August 26, 1937, issued in October 1937 and reissued in October 1939:

(a) In the State of New York: the counties of Niagara, Orleans, Monree, Wayne, or Ontario; or the townships of Cato, Con-quest, Ira, Victory, Mentr, or Sterling in the

county of Cayuga;
(b) In the State of Pennsylvania; the counties of Adams, Cumberland, Franklin,

Fulton, or York;

(c) In the State of West Virginia: the counties of Berkeley, Jessercon, Hampshire, or

. (d) In the State of Virginia: the counties of Frederick, Clarke, Shenandoah, Warren, Page, Rockingham, Greene, Augusta, Albe-marle, Rockbridge, Nelson, Amherst, Bote-tourt, Bedford, Roanoke, Franklin, Montgomery, or Floyd; or

(e) In the State of Maryland: the counties of Allegany or Washington.

(3) The term "fresh-use apples" means and includes all apples, except apples heretofore or hereafter released pursuant to Food Distribution Order No.

69, grown in any of the designated counties or areas specified in (a) (2) hereof which are not restricted apples.

(4) The term "processing" means the manufacture for commercial purposes of any of the following products from restricted apples or fresh-use apples: canned apples, applesauce, apple butter, apple vinegar, apple cider, apple jelly, apple pomace, apple pectin, sweet apple julce, concentrated apple juice, frozen apples, frozen applesauce, apple chops, or any or all forms of dried, evaporated, or dehydrated apples.

(5) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated

or not.

(6) The term "Director" means the Director of Food Distribution, War Food Administration.

(7) The term "Order Administrator" means the person designated by the Director to serve as Order Administrator or alternate for the Order Administrator pursuant to the provisions of this order.

(8) The term "ship" means to convey restricted apples or fresh-use apples or to cause such apples to be conveyed by railroad, truck, boat, or any other means whatsoever, excluding, however, (i) the conveyance of such apples from an orchard to a point where apples grown in such orchard would customarily be packed or inspected by the Federal-State inspection service, or (ii) the conveyance of such apples to an authorized processor.

(9) The term "authorized processor" means a processor who has been authorized by the provisions of (b) (4) hereof or by the Director to process restricted apples.

(10) The term "producer" means any person who is the owner of apples at the time of the harvesting of such apples.

(b) Restrictions. (1) No person shall sell or deliver restricted apples except to an authorized processor; and no person other than an authorized processor shall purchase, accept delivery of, or use restricted apples: Provided, That a producer may, in each calendar year, sell or deliver as much as an aggregate of 10 bushels of restricted apples to other than authorized processors, and any person or persons may to that extent purchase, accept delivery of, or use such apples.

(2) No authorized processor shall use restricted apples except for processing; and no authorized processor shall sell or deliver restricted apples except to another authorized processor. The Director may, from time to time, issue orders applicable to authorized processors specifying or limiting the products, enumerated in (a) (4) hereof, into which restricted apples or fresh-use apples shall be processed or into which apple products, produced from restricted anples or fresh-use apples, shall be further processed. The Director may, from time to time, issue orders prohibiting authorized processors from selling or delivering any products, as aforesaid, except to authorized processors as therein classified or specified.

(3) The Director may, from time to time, issue orders applicable to authorized processors requiring such processors to set aside such of the products, specified in (a) (4) hereof, as may be designated by the Director. No person shall sell, deliver, or use products of apples, as aforesaid, set aside or required to be set aside except (i) in accordance with a release issued by the Director, or (ii) in accordance with an order issued pursuant to (b) (2) hereof.

(4) Any person who desires to process restricted apples shall apply to the Director for certification as an authorized processor. In his application he shall specify the location of each of his plants, and the maximum daily capacity of each plant to process each of the products specified in (a) (4) hereof. Upon receipt of such an application and if he determines that such applicant is a bona fide processor, the Director shall issue to such applicant a certificate stating that such processor is an authorized processor: Provided, That each person who is prepared to process restricted apples is hereby declared to be an authorized processor for a period of ten days beginning with the effective date of this The Director shall have the power to revoke the authorization of any authorized processor in the event such authorized processor fails to observe the provisions of this order.

(5) The Director may, with the approval of the War Food Administrator, issue, from time to time, orders specifying the minimum price or prices for restricted apples or for any grade, size, variety, type, or class thereof; and each authorized processor shall pay for all restricted apples purchased by the respective processor not less than the minimum price or prices specified, as

aforesaid, by the Director.

(6) The Director may, from time to time, issue orders applicable to any of the counties or areas, or any portions thereof, described in (a) (2) hereof, prohibiting any person from shipping restricted apples or fresh-use apples unless such apples have been inspected by a representative of the Federal-State inspection service. Each such shipper shall submit promptly, or cause to be submitted promptly, to the Director the Federal-State shipping point inspection certificate, with respect to each shipment of restricted apples or fresh-use apples within, or from, any areas specified in an order issued as aforesaid.

(7) A person may be authorized by the Director to sell or deliver a specified lot of restricted apples, without regard to the restrictions of this order, if (1) such apples are not suitable for processing; (ii) processing facilities are not available; (iii) such apples are required for purposes other than processing; or (iv) for any other reason the Director may deem such release to be necessary in order to effectuate the purposes of this order. Any person may purchase, accept delivery of, or use any apples released, as aforesaid, by the Director.

(8) The Director may, from time to time, notwithstanding any other provi-

sion of this order, issue general authorizations applicable to any areas, specified by the Director, authorizing the sale or delivery, to persons other than authorized processors, of restricted apples of specified varieties, grades, sizes, or quantities thereof. Any person may purchase, accept delivery of, or use any apples released by an authorization, as aforesaid, issued by the Director.

(9) The provisions of this order or of any regulations issued in pursuance thereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued, or pay-

ments made thereunder.

(c) Audits and inspections. The Director shall be entitled to make such audit or inspection of any person's books, records and other writings, premises, or stocks of restricted apples or fresh-use apples, or products manufactured either from restricted apples or fresh-use apples, or from any or all of the products listed in (a) (4) hereof, and to make such investigations, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(d) Records and reports. (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the discretion of the Director, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall maintain, for at least two years, or for such period of time as the Director may designate, an accurate record of his transactions in restricted apples, freshuse apples, or products manufactured from restricted apples or fresh-use apples or from any or all of the products listed in (a) (4) hereof.

(3) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) Provisions of Food Distribution Regulation No. 2 not applicable. The provisions of Food Distribution Regulation No. 2 (8 F.R. 7523), issued June 4, 1943, by the War Food Administrator, shall not be applicable to this order.

(f) Relevancy to Food Distribution Order No. 69. Restricted apples, freshuse apples, or products from restricted apples or fresh-use apples, heretofore or hereafter released from regulation under Food Distribution Order No. 69, are free from regulation under this order. This order shall not be construed as a modification or suspension of Food Distribution Order No. 69.

(g) Designation of Order Administrator and alternate. The Director shall designate two employees of the United States Department of Agriculture to serve as Order Administrator and alternate for the Order Administrator, respectively. Whenever the Order Administrator is absent or unable to act, the alternate shall act as Order Administrator.

(h) Petition for relief from hardship. Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Admin-istrator. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 83, Fruit and Vegetable Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken by the Order Administrator on the petition, by requesting the Order Administrator therefor, he shall obtain a review of such action by the Director. The Director may, after said review, take such action, as he deems appropriate, and such action shall be final.

(i) Violations. The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using restricted apples, fresh-use apples, products manufactured from restricted apples or fresh-use apples or any or all of the products listed in (a) (4) hereof, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) Delegation of authority. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority

vested in him by this order.

(k) Communications. All reports required to be filed and all communications concerning this order shall be addressed to Order Administrator, Food Distribution Order No. 83, Fruit and Vegetable Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C. Ref. FDO 83.

(1) Effective date. This order shall become effective at 12:01 a.m., e. w. t., October 4. 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 30th day of September 1943. Marvin Jones, War Food Administrator.

[F. R. Doc. 43-16028; Filed, October 1, 1943; 11:55 a.m.]

[FDO 71-1, Amdt. 1]
PART 1414—POULTRY

TURKEYS

Director Food Distribution Order No. 71-1, § 1414.2, issued by the Director of Food Distribution, War Food Administration, on August 23, 1943 (8 F.R. 11713), is amended as follows:

By adding to (b) the following:

(3) To consider petitions for relief from hardship requesting releases from the provisions of Food Distribution Order No. 71, as amended, and to grant such releases to persons who are unable to offer or sell to the Armed Services of the United States turkeys owned by such persons and which are subject to the provisions of said order, as amended: *Provided*, That the respective regional director determines upon the basis of evidence satisfactory to him that it is not practicable for the Armed Services of the United States to purchase such turkeys.

This order shall become effective at 12:01 a.m., e. w. t., October 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 71, 8 F.R. 10703, 11465)

Issued this 30th day of September 1943.

ROY F. HENDRICKSON,

Director of Food Distribution.

[F. R. Doc. 43-16029; Filed, October 1, 1943; 11:56 a. m.]

[FDO 4-1, as Amended]
Part 1450—Tobacco

TERMINATION OF ORDER ALLOCATING 1942 CROP BURLEY TOBACCO

Pursuant to the authority vested in me by Food Distribution Order No. 4, issued by the Secretary of Agriculture on January 7, 1943, as amended (8 F.R. 335, 11331), it is hereby ordered as follows:

That Director Food Distribution Order No. 4-1, issued by the Director of Food Distribution on January 8, 1943, as amended (8 F.R. 392, 4281), allocating 1942 crop burley tobacco, be, and the same is hereby, terminated at 12:01 a. m., e. w. t., October 1, 1943.

With respect to violations of said Director Food Distribution Order 4-1, as amended, or rights accrued, liabilities incurred, or appeals taken under said order, as amended, prior to the effective time of the termination thereof, said Director Food Distribution Order 4-1, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 4, 8 F.R. 335, 11331)

Issued this 30th day of September 1943.

Roy F. Hendrickson,

Director of Food Distribution.

[F. B. Doc. 43-16027; Filed, October 1, 1943; 11:55 a. m.]

[FDO 78, as Amended, Partial Suspension]

PART 1460-FATS AND OILS

CONSERVATION AND DISTRIBUTION OF PEANUTS AND PEANUT BUTTER

Pursuant to the authority vested in the War Food Administrator, it is hereby ordered, as follows:

That the restrictions of paragraphs (b) and (c) of Food Distribution Order No. 78, as amended (8 F.R. 12040; 12603), § 1460.29 (b) and (c), shall not apply to the use or consumption, by any person, of peanuts or peanut butter when such use or consumption occurs, or, has occurred, during the period beginning on September 1, 1943 and ending on October 31, 1943.

(E.O. 9280, 7 FR. 10179; E.O. 9322, 8 FR. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 30th day of September 1943.

Marvin Jones, War Food Administrator.

[F. R. Doc. 43-16026; Filed, October 1, 1943; 11:55 a. m.]

# TITLE 31—MONEY AND FINANCE: TREASURY

Subtitle A-Office of the Secretary

Part 10—Regulations Relating to the Practice of Attorneys and Agents \*

ESTABLISHMENT OF COMMITTEE ON PRACTICE

Paragraph (a) of § 10.1 is hereby amended to read as follows:

§ 10.1 Committee established—(a) Committee on Practice. A Committee on Practice is hereby created consisting of such number of members as shall be appointed by the Secretary of the Treasury. The Secretary shall designate a chairman of the Committee. The Secretary in his discretion may appoint a part-time member or members of the Committee, and, whenever in his judgment such action is necessary, the Secretary may appoint some person to serve temporarily as a substitute for a regular member of the Committee. The Committee shall have such powers to prescribe rules for its own government and procedure as are set forth elsewhere in these regulations. The Committee shall meet at such times as it may designate or at the call of the chairman. Two members of the Committee shall constitute a quorum. Hearings for the purpose of taking testimony in proceedings for suspension or disbarment may be held by a single member of the Committee at such places as the Committee may designate, but all findings of fact and recommendation thereon shall be made by the Committee.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-15956; Filed, Eeptember 80, 1943; 4:11 p. m.]

TITLE 32-NATIONAL DEFENSE

Chapter IX-War Production Board

Subchapter A-General Provisions

[Amdt. 2]

PART 902—REGULATIONS UNDER THE REQUISITIONING ACTS

REDELEGATION OF POWER

Pursuant to the authority vested in the Chairman of the War Production Board by Executive Order No. 9040 of January 24, 1942 and Executive Order No. 9133 of April 17, 1942, the Regulations under Requisitioning Acts issued by the Chairman of the War Production Board on July 24, 1942 and amended on June 28, 1943, are hereby amended as follows:

§ 902.1 (g) is amended to read as follows:

(g) A Requisitioning Authority may exercise and authorize redelegation of any power, duty or discretion vested in it under Executive Order No. 9040, Executive Order No. 9138, or this regulation through such person or persons as it may designate.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 567; E.O. 9125, 7 F.R. 2719; E.O. 9138, 7 F.R. 2919; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 27th day of September 1943.

C. E. Wilson, Acting Chairman, War Production Board.

[F. B. Doc. 43-15957; Filed, September 30, 1943; 4:37 p.m.]

# Subchapter B-Executive Vice-Chairman

Authorit: Regulations in this subchapter issued under cac. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 58 Stat. 176; E.O. 9024, 7 PR. 329; E.O. 9125, 7 PR. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 PR. 3658, 3636; Pri. Reg. 1 as amended May 15, 1943, 8 PR. 6727.

PART 1226—GENERAL INDUSTRIAL EQUIP-

[General Concervation Order L-318 as Amended October 1, 1943]

# SPOT WELDING ELECTRODES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of spot welding electrodes, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.108 General Conservation Order L-318—(a) Definitions. For the purpose of this order:

 "Producer" means any person engaged in the manufacture of spot welding electrodes.

(2) "Critical material" means cadmium, silicon, silver, chromium, zinc, lithium, beryllium, cobalt and nickel.

(3) #1, #2 and #3 Morse taper fitting ends mean fitting ends of electrodes with diameters and tapers as follows:

Morse fitting taper	Diameter of small end 1	Taper per
#1	0. 438"	0.600"
#2	.537"	.602"
#3	.819"	.602"

1 A tolerance of plus or minus .005" is allowed.

Note: Caption to third column amended October 1, 1943.

(b) Simplification and standardization. (1) After October 7, 1943, no producer shall manufacture any spot welding electrodes without machining the fitting ends for #1, #2 or #3 Morse taper fittings to holders. However, this paragraph (b) (1) does not apply to the manufacture of welding electrodes to fill any specific purchase order, where the buyer needs the electrodes for use in pulsation welding and gives the producer a certification substantially as follows: "This order is for electrodes needed for use in pulsation welding." Any producer receiving this certification may rely on the representation of it unless he knows or has reason to believe it to be

(2) After October 7, 1943, no producer shall manufacture any straight spot welding electrodes except in accordance with the lengths and maximum diameters specified in Schedule A hereto.

(c) Conservation of critical materials. After October 7, 1943, no producer shall manufacture any spot welding electrodes except in accordance with the restrictions on the use of materials contained in Schedule B. However, the provisions of this paragraph (c) shall not prohibit any producer from using any materials which he had on hand or which were in process by or for him on September 7, 1943.

(d) Miscellaneous provisions-(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order. wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) Appeals. Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the

(4) Communications. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-318.

Issued this 1st day of October 1943. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN. Recording Secretary.

SCHEDULE A—SIMPLIFICATION AND STANDARDIZATION SCHEDULE

PERMITTED LENGTHS AND MAXIMUM DIAMETERS FOR STRAIGHT SPOT WELDING ELECTRODES

Morse fitting tapers	Over-all lengths of electrodes	Maximum diameters of electrodes	
#1	1¼", 1¼", 2", 2¼", 3"	0.500″	
#2	1¼", 2", 2½", 3", 4"	.625″	
#3	2", 3", 4"	.875″	

#### SCHEDULE B

#### CONSERVATION PROVISIONS

1. No tungsten, molybdenum or metallic mixtures containing these metals shall be used except in electrode facings and inserts.
2. No copper base alloys containing critical materials shall be used except as described in the following table:

Kinds of alloys permitted	Critical materials permitted	Maximum percentage of critical materials permitted
1. Cadmium-cop- per base.	Cadmium	1.25% .25%
2. Chrome-copper base.	Chromium Zinc, lithium, silicon, beryllium or silver or a combination of two or more of these.	1% .30%
3. Beryllium-co- balt-copper base.	Cobalt or nickel or a combination of both. Beryllium Silicon, lithium or	2.75% .7% .3%
4. Beryllium- nickel-copper base.	silver or a combination of two or more of these.  Beryllium Cobalt, nickel or silicon or a combination of two or more of these.	2.5% .75%

[F.R. Doc. 43-15997; Filed, October 1, 1943; 11:21 a. m.

PART 1297-MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR Passenger Automobiles, Light, Medium AND HEAVY MOTOR TRUCKS, TRUCK Trailers, Passenger Carriers, Off-the-HIGHWAY MOTOR VEHICLES AND MOTOR-IZED FIRE EQUIPMENT

[Interpretation 1 of Limitation Order L-158, as Amended]

RESIZING OF ENGINE PISTONS AND BEARINGS BY PRODUCERS' BRANCHES

The question of resizing engine pistons and bearings in the field to sizes other than those specified in paragraphs (e) (1) and (e) (4), respectively, of Limitation Order L-158, as amended March 11. 1943, has been the subject of some uncertainty in the industry. In order to clarify the order, with respect to the intent of these paragraphs, the following interpretation is hereby issued:

Producers' direct factory branches of warehouses, wholly owned or controlled by them, may finish engine pistons and bearings to

any intermediate sizes not specified in paragraphs (e) (1) and (e) (4), respectively, of Limitation Order I--158, when ordered from the factory branch by a customer for im-mediate use in a specific engine. None of these intermediate sizes may be ordered from a factory branch for stock or to be held in inventory. A certificate for emergency order, as provided for in Order L-159, paragraph (1), should accompany each order placed with the factory branch for the intermediate sizes other than those specified in the paragraphs mentioned above, as a means of identifying the need for the part in a specific vehicle.

Issued this 1st day of October 1943. WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 43-15998; Filed, October 1, 1943; 11:22 a. m.]

PART 3000—PETROLEUM SULFONATES [Revocation of General Preference Order M-1881

3000.1 General Preference Section Order M-188 has been amended and reissued as Petroleum Administrative Order No. 16 by the Petroleum Administration for War which will take effect on the 1st day of October 1943. Effective at the same time, General Preference Order M-188 is hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under said order.

Issued this 1st day of October 1943.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 43-15999; Filed, October 1, 1943; 11:22 a. m.]

PART 3157-HAULAGE CONSERVATION

[General Haulage Conservation Order T-1 as Amended October 1, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3157.1 General Haulage Conservation Order T-1—(a) Definitions. For the purpose of this order (and any lists. supplements or schedules hereto, unless otherwise indicated):

(1) "Controlled delivery" means any delivery (including reconsignment) of any material specified on List 1 or 2 annexed hereto, or on any supplement or schedule hereto, where the delivery is to be made under the conditions specified for such material in such list, supplement or schedule.

(2) "Originate" means to load or to tender or offer to a carrier for delivery.

(3) Any distance or mileage which is specified in any list, schedule or supplement to this order, shall be measured over the shortest route over which carload freight may be transported without transfer of lading.

(4) The boundary of any city or village specifically referred to in any list, schedule or supplement hereto, shall be deemed to include the railroad switching limits as established in duly published rail tariffs.

. (b) List 1 materials. (1) No person shall originate a controlled delivery of any List 1 material, except as specifically authorized or directed in writing by the

War Production Board.

(2) Any person seeking authorization to originate a controlled delivery of any List I material may make application on Form WPB-2188 (Formerly PD-782), or, in emergency, by telegram, containing substantially the information called for by such form.

(c) List 2 materials. (1) Each person shall report on Form WPB-2188 (formerly PD-782) on or before the 20th day of each calendar month all controlled deliveries of List 2 materials which he then intends to originate during the suc-

ceeding calendar month.

(2) Each person shall report on Form WPB-2188 (formerly PD-782) on or before the 10th day prior to originating such delivery any controlled delivery of List 2 materials which he then intends to originate and has not previously reported.

(3) Any person may originate a controlled delivery of List 2 materials reported pursuant to paragraph (c) (1) or (2), unless otherwise specifically directed in writing by the War Production

Board

(4) No person shall originate a controlled delivery of List 2 materials which has not been reported pursuant to paragraph (c) (1) or (2), except as specifically directed or authorized in writing by the War Production Board. Application for such authorization may be made on Form WPB-2188 (formerly PD-782), or, in emergency, by telegram containing substantially the information called for by such form.

(d) Deliveries originating outside United States. With respect to any delivery terminating within the forty-eight states or the District of Columbia, but in fact originating elsewhere, the delivery shall, for the purpose of this order and any supplements or schedules hereto, be deemed to have been originated by the

consignee at the point of entry.

(e) Materials covered by supplements and schedules. The War Production Board may from time to time issue supplements or schedules to this order prescribing conditions governing controlled deliveries of particular materials specified thereon. On and after the effective date of any such supplement or schedule, no person shall make a controlled delivery of any such material except as specified in such supplement or schedule.

(f) Nonapplicability of order. This order shall not apply to any carrier when acting in the capacity of a carrier, nor shall it operate as an assignment of, or right to obtain, transportation equip-

ment.

(g) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) Applicability of other orders. Nothing contained in this order shall be construed to limit the requirements of any other War Production Board order now or hereafter issued.

(3) Appeals. Any appeal from denials of applications or from directions pursuant to this order, or any supplement or schedule hereto, shall be made by filing a letter in triplicate, referring to the particular action appealed from and stating fully the grounds of the

appeal.

(4) Violations. Any person who wilfully violates any provision of this order, or any supplement or schedule hereto, or who, in connection therewith wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) Communications to the War Production Board. All reports required to be filed hereunder, and all communications concerning this order or any supplement or schedule hereto, shall unless otherwise directed be addressed to: War Production Board, Washington 25, D. C., Ref.: T-1 (Specify commodity).

Issued this 1st day of October 1943.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

#### List 1

ZONED DELIVEDUS OF LIATERIALS IN BULLS (NOT IN CONTAINERS), LOADED OR UNICOLDED IN LIQUID FORLS

1. Molasses. Deliveries to any point 200 miles or more distant from the point of origin, originating on or after July 1, 1943, of beet, blackstrap, invert, edible or hydrol molasses. The term molasses shall be construed to include the residuum of such molasses.

2. Caustic scda (liquid). Deliveries, originating on or after July 1, 1943, from any point in any one of the following zones to a point in any other such zone, except that

(a) Producers in Zone 2 may originate controlled deliveries without authorization to any point in Area A or defined below

to any point in Area A as defined below,
(b) Producers in Zones 2 and 3 may originate controlled deliveries without authorization to any point in Area B as defined below,

(c) Producers in Zones 2 and 3, except those in Virginia, may originate controlled deliveries without authorization to any point in Area C as defined below,

(d) Producers in Zones 3, 4, and 6, except

(d) Producers in Zones 3, 4, and 6, except those in Virginia, may originate controlled deliveries without authorization to any point in Area D as defined below, and

(e) Producers in Zones 5 and 6 may originate controlled deliveries without authorization to any point in Area E as defined below.

First caustic soda zone: The states of Maine, New Hampshire, Vermont, Maccachusetts, Rhode Island, Connecticut, New Jersey, New York and Delaware; that portion of Pennsylvania east of but not including the counties of Warren, Elk, Clearfield, Centre, Miffilm, Juniata and Franklin; and that portion of Maryland east of but not including the counties of Frederick, Montgomery, Prince Georges, Calvert and St. Marys. Second caustic seda zone: The District of

Second caustic soda zone: The District of Columbia; that portion of Fennsylvania and Maryland not included in Zone 1; that portion of Virginia north of the James River as far west as Nelson County, and that portion north of but not including the counties of Nelson and Augusta, plus that portion of Virginia included in the Richmond, Virginia, switching limits as described in duly published tariffe; also South Richmond and Ampthill, Virginia, that portion of West Virginia north of but not including the counties of Pocahontas, Greenbrier, Nicholas, Kanawha, Putnam, Cabell; and that portion of Ohio east of but not including the counties of Adams, Highland, Clinton, Greene, Clark, Champaign, Logan, Auglaize, Allen, Hancock, Seneca, Huron and Erie.

Third caustic coda zone: The states of North Carolina and South Carolina; that

Third caustic soda zone: The states of North Carolina and South Carolina; that portion of Virginia and West Virginia not included in Zone 2; that portion of Kentucky couth of but not including the counties of Macon, Bracken, Pendleton, Grant, Owen, Henry, Oldham and Jefferson, and that portion of Kentucky east of but not including the counties of Crittenden, Caldwell, Caristian and Todd; that portion of Tennessee east of but not including the counties of Montgomery, Cheatham, Davidson, Williamcon, Maury and Lawrence; that portion of Alabama east of but not including the counties of Lauderdale, Lawrence, Winston, Walker, Jefferson, Shelby, Coasa, Elmore, Montgomery, Bullock, Barbour, Henry and Houston; and that portion of Georgia east and north of but not including the counties of Clay, Calhoun, Baker, Mitchell and Grady.

Fourth caustic coda zone: The states of Michigan, Wicconsin, Minnesota, North Da-Eota, South Dakota, Nebraska, Kanssa, Iowa and Indiana; that portion of Kentucky not included in Zone 3 or 5; that portion of the State of Ohio not included in Zone 2; and that portion of Illinois north of but not including the counties of Union, Johnson, Pope and Hardin; and that portion of Missouri north of but not including the counties of Bates, St. Clair, Hickory, Dallas, Laclede, Texas, Shannon, Reynolds, Carter, Butler, Steeday and Con Glardey.

Steddard and Capa Girardeau.

Fifth caustic soda zone: The states of Arlancas, Louisiana, Florida, and Mississippi; that portion of Missouri and Minois not included in Zone 4; that portion of Kentucky not included in Zone 3 or 4; that portion of Tennessee, Georgia and Alabama not included in Zone 3; that portion of Oziahoma east of but not including the counties of Kay, Noble, Payne, Lincoln, Pottawatomie, Pontotec, Johnston and Bryan; that portion of Texas east of but not including the counties of Fannin; Hunt, Rains, Van Zandt, Smith, Cherokee, Angelina, Tyler, Hardin and Jefferson.

Sixth caustic coda zone: That portion of Oklahoma and Texas not included in Zone 5. Serenth caustic soda zone: The state of Montana, Idaho, Wyoming, Colorado, Utah, Arizona and New Mexico, and that portion of the State of Nevada east of but not including the counties of Humboldt, Pershing, Churchill, Mineral and Esmeralda.

Eighth caustic soda zone: The states of Washington, Oregon and California and that portion of Nevada not included in Zone 7.

Caustic soda Area A: The state of New Jersey, the counties of Delaware, Philadelphia, Montgomery and Bucks in Fennsylvania, the counties of Putnam, Westchester, Rockland, Brons, New York, Richmond, Kings, Queens, Nacsau and Suffolk in New York, and Fairfield County in Connecticut.

field County in Connecticut.

Caustic soda Area B: The District of Columbia, the states of Dalaware and Maryland;

that portion of Virginia north of the James River as far west as the county of Amherst, and that portion of Virginia north of but not including the counties of Amherst, Rock-bridge, Botetourt and Craig; that portion of West Virginia north of but not including the counties of Monroe, Summers, Raleigh, Boone, Logan and Mingo, but not including the counties of Marshall, Ohio, Brock and Hancock; the counties of Boyd and Greenup in Kentucky; and that portion of Ohio east and south of but not including the counties of Solioto, Jackson, Vinton, Hocking, Perry, Morgan, Noble and Monroe.

Caustic soda Area C: The countles of Jef-

ferson, St. Louis and St. Charles in Missouri, ferson, St. Louis and St. Charles in Missouri, the counties of Monroe, St. Clair, Madison, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Effingham, Clay, Wayne, Hamilton, White, Edwards, Richland, Jasper, Cumberland, Clark, Crawford, Lawrence and Wabash in Illinois; the counties of Jefferson, Oldham, Trimble, Henry, Carroll, Owen, Gallatin, Grant, Boone, Kenton, Campbell, Pendleton, Bracken and Mason in Kentucky; that portion of Indiana south of but not including the counties of Vermillion, Farke, Putnam, Morgan, Hendricks, Boone, Hamil-Putnam, Morgan, Hendricks, Boone, Hamilton, Tipton, Grant, Wells, and Adams; and that portion of Ohio south and west of but not including the counties of Van Wert, Allen, Hardin, Union, Madison, Fayette, Ross, Pike and Scioto.

Caustic soda Area D: The portion of Missouri east and south of but not including the counties of Ripley, Carter, Wayne, Bol-linger and Perry; the portion of Illinois south of but not including the counties of Jackson, Williamson, Saline, and Gallatin; the portion of Kentucky west and south of but not including the countles of Union, Webster, Hopkins, Muhlenberg, and Logan; and the portion of Tennessee west of but not including the counties of Robertson, Sumner, Wilson, Rutherford, Marshall and Giles.

Caustic soda Area E: The portion of Texas east and south of but not including the counties of Matagorda, Wharton, Austin, Waller, Grimes, Walker, Trinity, Angelina, San Augustine and Sabine, and the portion of Louisiana south and west of but not including the counties of Sabine, Natchitoches, Rapides, Allen, Jefferson Davis and Vermilion.

(3) Apple cider, including apple juice and vinegar stock. All deliveries originating on or after September 1, 1943.

REPORTED DELIVERIES OF MATERIALS IN BULK (NOT IN CONTAINERS), LOADED OR UNLOADED IN

Deliveries of any of the following materials to any point 200 miles or more distant fromthe point of origin, originating on or after July 1, 1943: 1. [Deleted Oct. 1, 1943].

- Corn syrup (glucose).
   [Deleted Oct. 1, 1943].

[F. R. Doc. 43-16000; Filed, October 1, 1943; 11:21 a. m.]

PART 3175-REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 33 to CMP Reg. 1]

PLACEMENT AND ACCEPTANCE OF ORDERS FOR SMALL AMOUNTS OF ALUMINUM AND ALUMINUM ALLOY EXTRUDED SHAPES

The following direction is issued pursuant to CMP Reg. 1:

(a) This direction applies only to orders for aluminum or aluminum alloy extruded shapes placed with producers of such shapes.

- (b) Whenever a consumer is entitled to place an order for a particular aluminum or aluminum alloy extruded shape, he may order the smallest of the following amounts of the extruded shape:
- (1) A six months' supply of the particular extruded shape;
- (2) A quantity of the particular extruded shape sufficient to complete a contract; or
  (3) The following quantities of the particular extruded shape:

Wt. of individual extruded Minimum pounds 200 Over 1 lb. to 2 lbs. inclusive per foot. 350 Over 2 lbs. to 4 lbs. inclusive per foot. 500 750 Over 4 lbs. to 8 lbs. inclusive per foot. Over 8 lbs. per foot\_\_\_ 1000

(c) Nothing in this direction prohibits a consumer from ordering a larger amount of any aluminum or aluminum alloy extruded shape if he is permitted to do so under the provisions of paragraph (s-1) of CMP Regulation No. 1 relating to restrictions on placing authorized controlled material orders.

(d) Notwithstanding the provisions of paragraph (t) (2) (i) of CMP Regulation No. 1, a controlled materials producer may reject an order for a particular aluminum or aluminum alloy extruded shape if it calls for less than the smallest of the amounts described in paragraph (b) above.

Issued this 1st day of October 1943. WAR PRODUCTION BOARD, Bý J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 43-16002; Filed, October 1, 1943; 11:22 a. m.]

PART 3208-SCHEDULED PRODUCTS [Interpretation 1 of General Scheduling Order M-2931

APPLICABILITY OF PARAGRAPH (e) OF GEN-ERAL SCHEDULING ORDER M-293 TO PUR-CHASE ORDERS ALREADY PLACED

The following interpretation is issued with respect to General Scheduling Order M-293:

If a prime contractor or manufacturer who orders a "Z" product receives instructions from a claimant agency telling him to fill out a designated form to cover his purchase orders, he must comply with paragraph (e) of M-293 even though he had placed his purchase orders before receiving the instruc-tions. Although paragraph (e) (1) says that he must "accompany" his purchase or-der with the form, it will be sufficient if he sends the form as promptly as practicable af-ter receipt of the instructions.

A manufacturer of a Class "Z" product who has received a purchase order covered by one of the forms referred to must com-plete the form and return it as provided in paragraph (e) (2), even though he received the form after the purchase order was placed. If he received the form before September 24, 1943 (when the amendment to M-293 became effective) it will be sufficient if he complies with paragraph (e) (2) as promptly as practicable after that date.

Issued this 1st day of October 1943.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN. Recording Secretary.

[F. R. Doc. 43-16001; Filed, October 1, 1943; 11:21 a. m.l.

PART 3284—BUILDING MATERIALS 1

[Limitation Order L-225, as Amended Oct. 1, 1943]

ELECTRICAL CONDUIT, ELECTRICAL METALLIC TUBING AND RACEWAYS

§ 3284.56 Limitation Order L-225-(a) Definition. For the purposes of this

- (1) "Rigid electrical conduit" means rigid steel or iron pipe (whether or not regalvanized, sherardized, enameled, or treated with other protective coating) designed to protect insulated electric wire, cables or conductors for the transmission of electricity, such pipe being manufactured in iron pipe sizes 4" to 6" inclusive. Rigid electrical conduit shall include, but is not limited to conduit commonly known as "heavy wall conduit".
- (2) "Electrical metallic tubing" means steel tubing (whether or not galvanized, sherardized, enameled or treated with other protective coating) designed to protect insulated electric wires, cables, or conductors for the transmission of electricity and manufactured in trade sizes %" to 2" inclusive, from the following gauges of steel:

BW	gauge
	19
	19
~	18
	16
	16

Electrical metallic tubing shall include, but is not limited to steel tubing commonly known as "thin wall conduit"

- (3) "Flexible metal conduit" or "flexible metal tubing" means helically wound flexible steel tubing manufactured in trade sizes for to 3" inclusive, designed to protect insulated electric wires, cables or conductors for the transmission of electricity.
- (4) "Raceways" means any ferrous metal enclosure or channel, designed expressly for the protection and/or the holding of electrical wires and cables, including but not limited to, surface metal raceways, under floor metal raceways, cellular metal floor raceways, metal wireways, metal wiring troughs and metal under plaster extension raceways. Raceways shall not include busways, rigid electrical conduit, flexible metal conduit, flexible metal tubing, electrical metallic tubing or wiring channel or raceways which are a part of any fluorescent lighting fixture.
  (5) "Manufacturer" means any per-
- son who makes, constructs or assembles rigid electrical conduit, electrical metallic tubing, flexible metallic tubing, flexible metallic conduit or raceways.

(6) "Used" means having been in-

stalled or put in service.

(7) "Distributor" means any person regularly engaged in the business of buying electrical supplies from a manufacturer for the purpose of resale.
(8) "Electrician" means any person

other than a distributor who is engaged

<sup>&</sup>lt;sup>1</sup>Formerly Part 3131, § 3131.1.

in installing, maintaining or repairing electrical systems.

(9) "Put in process" means the first change by a manufacturer in the form of material from that form in which the

material was received by him.

(10) "Industrial lighting fixture" means a lighting fixture designed and constructed to provide general or localized illumination for an area of manufacturing, processing, storage or transportation, including, but not limited to, a machine shop, laboratory, warehouse, power plant, yard platform, dock, pier, passageway, arsenal, camp or cantonment.

(11) "Hazardous location" means premises, locations, rooms or portions

thereof in which:

(Class I) highly flammable gases, flammable volatile liquids, mixtures or other highly flammable substances are manufactured or used or are stored in other than original containers; or

(Class II) combustible dust or flyings are likely to be present in quantities sufficient to produce an explosive or com-

bustible mixture; or

(Class III) it is impracticable to prevent such combustible dust from collecting on or in motors, lamps or other electrical devices in such quantities as may prevent normal radiation and cause overheating of such motors, lamps or devices; or

(Class IV) easily ignitable fibres or materials producing combustible flyings are handled, manufactured, stored or

used.

- (b) Restrictions on manufacture and installation of rigid electrical conduit. (1) No person shall in the manufacture of rigid electrical conduit, during any calendar quarter, put in process any metal in excess of one-tenth (1/10) of the total weight of metal put in process in the manufacture of rigid electrical conduit by him during the calendar year 1941.
- (2) No person shall install rigid electrical conduit in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical Code.

(3) No person shall install rigid electrical conduit sizes 1/4" to 2" inclusive,

\_ except:

(i) When the installation is in a Class I, II, III or IV hazardous location and the 1940 edition of the National Electrical Code establishes the use of such rigid electrical conduit as a minimum acceptable standard of wiring; or

(ii) To suspend an industrial light-

ing fixture.

(4) No person shall install rigid electrical conduit sizes 21/2" to 6" inclusive, except when

(i) The installation is such that the electric wires or cables require for safety purposes protection from mechanical in-

(ii) The installation is made in wet locations as defined in Article 100 of the 1940 edition of the National Electrical

Code: or (iii) The installation is made in a Class I, II, III or IV hazardous location and the 1940 edition of the National Electrical Code establishes the use of such rigid electrical conduit as a minimum acceptable standard of wiring; or

(iv) Electric wires or cables are required, because of the construction of a building or structure, to be enclosed within concrete or masonry.

- (c) Restrictions on manufacture and installation of electrical metallic tubing. (1) On and after the 1st day of July 1943, no person shall in the manufacture of any electrical metallic tubing during any calendar month put in process any metal in excess of one-sixteenth (10) of the total weight of metal put in process in the manufacture of electrical metallic tubing by him during the calendar year 1941.
- (2) No person shall install electrical metallic tubing in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical Code.

(3) No person shall install any elec-

trical metallic tubing, except:

(i) To enclose electric wire or cable which requires, for safety purposes, protection from mechanical injury; or

(ii) To enclose electric wire or cable required, because of the construction of a building or structure, to be enclosed within concrete or masonry; or

(iii) To enclose electric wire or cable located in elevator hoistways and used for elevator power, control and signal

purposes; or

(iv) To enclose electric wire or cable located in wet locations as defined in Article 100 of the 1940 edition of the National Electrical Code; or

(v) To suspend an industrial light-

ing fixture.

(d) Restrictions on manufacture and installation of flexible metal conduit or

flexible metal tubing.

(1) On and after the 1st day of July, 1943, no person shall in the manufacture of flexible metal conduit or flexible metal tubing during any calendar month put in process any metal in excess of one twenty-fourth (1/4) of the total weight of metal put in process in the manufacture of flexible metal conduit or tubing by him during the calendar year 1941.

(2) No person shall install flexible metal conduit or flexible metal tubing in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical

Code.

(3) No person shall install any flexible metal conduit or flexible metal tubing, except to provide a flexible enclosure for:

(i) Electric wire or cable which is a

component part of a machine; or

(ii) Electric wire or cable extending less than twelve (12) feet from rigid electrical conduit, electrical metallic tubing or raceways to electric motors, current consuming devices or electric control equipment.

(e) Restrictions on manufacture and installation of raceways. (1) No person shall, in the manufacture of any raceway, during any calendar quarter, put in process any metal in excess one-eighth (1/6) of the total weight of metal put in process in the manufacture of metal raceways by him during the calendar year 1941.

(2) No person shall install raceways in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical

(3) On and after the 9th day of July 1943, no person shall install any raceway except to enclose electric wire or

cable:

(i) Which requires for safety purposes protection from mechanical in-

jury; or
(ii) Which is required, because of the construction of a building or structure. to be enclosed within concrete or maconry.

(f) Restrictions on sale by a manufacturer or distributor. No manufacturer or distributor shall sell or deliver any rigid electrical conduit, electrical metallic tubing, flexible metallic tubing, flexible metallic conduit or raceways, except that:

(i) A distributor or manufacturer may sell or deliver such conduit, tubing or raceways pursuant to an order or contract bearing a preference rating of

AA-5 or better; or

(ii) A manufacturer may sell or deliver such conduit, tubing or raceways to another manufacturer; or

(iii) A distributor may sell or deliver such conduit, tubing or raceways to an-

other distributor.

- (g) Specific exemptions. The installation of any rigid electrical conduit or any electrical metallic tubing or any flexible metal conduit or flexible metal tubing or any raceway shall not be prohibited in any way by the provisions of this order provided such tubing, conduit or raceway:
  - (1) Has been used; or
  - (2) Is or will be incorporated into
- (i) Aircraft, armament, radio, radar, ships, tanks, vehicles, weapons, protective alarm systems or locomotives; or
- (ii) Any equipment designed and constructed to be used in combat; or
  - (3) On or before December 16, 1942
- (i) Was in the possession of an electrician: or
- (ii) Had been delivered or was in transit to the site of installation; or
- (4) Is to enclose electrical conductors located adjacent to telephone equipment or other apparatus when the metallic shielding of such electrical conductors is required to insure the proper operation of the telephone equipment or other ap-
- (h) Extension of ratings for certain conduit and tubing. Notwithstanding the provisions of any priority regulation, any person having a rated order for rigid electrical conduit may extend such rating for an equal amount in linear feet of electrical metallic tubing of the same size, and any distributor having a rated order for electrical metallic tubing may extend such rating for an equal amount in linear feet of rigid electrical conduit of the same size.

(1) Filing of monthly reports of deliveries and inventory of rigid electrical conduit and electrical metallic tubing. On or before the fifteenth day of July, 1943, and on or before the fifteenth day of each succeeding calendar month thereafter, every manufacturer of rigid electrical conduit and electrical metallic tubing shall file with War Production Board, Building Materials Division, Washington 25, D. C., Reference L-225, a report on Form WPB-2474 (or Form PD-827) containing the information required thereon for the preceding month.

(j) Reports. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using material under priority control and may be deprived of priorities assistance.

(1) Appeals. Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal

relates.

(m) Applicability of other orders. Insofar as any construction work is subject to the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War, and the Secretary of the Navy, or to the "List of Prohibited Items for Construction Work" dated June 29, 1942, issued by the Army and Navy Munitions Board, and insofar as any other order issued by the War Production Board or to be issued by it hereafter limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such directive, list, or order shall govern unless otherwise specified therein.

(n) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priority regulations of the War Production Board as amended from

time to time.

(o) Routing of correspondence. Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C. Ref: L-225.

Issued this 1st day of October 1943.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN.

Recording Secretary.

[F. R. Doc. 43-15992; Filed, October 1, 1943; 11:21 a. m.]

PART 3291—CONSUMERS DURABLE GOODS 1 [General Limitation Order L-28, as Amended Oct. 1, 19431.

INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of nickel, brass, copper and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.110. General Limitation Order L-28-(a) Definitions. For the purposes of this order:

(1) "Incandescent lamp" means any hermetically-sealed lamp or bulb, designed primarily to produce light, which makes use of a metal or carbon filament or metal wire strip, foil or compound as the source of light.

(2) "Fluorescent lamp" means any hermetically-sealed electric discharge lamp or tube (other than a cold-cathode tube) in which the radiant energy from the electric discharge is converted by suitable phosphor coatings into visible

wave lengths.

(3) "Glow discharge lamp" means any hermetically-sealed electric discharge lamp or tube (other than a fluorescent lamp) containing gases or vapors and designed to operate at impressed voltages of less than one thousand volts to produce visible light.

(4) "Telephone switchboard signal lamp" means a lamp manufactured with a slide contact base designed primarily for use in telephone switchboard equip-

ment.
(5) "Blackout lamp" means any incandescent lamp having a lumen output of less than one lumen per watt, with an opaque coating on more than 50% of the external or internal glass surface.

(6) "Manufacturer" means any person who produces or assembles any incandescent, fluorescent or glow discharge lamp or part therefor, or who coats, etches or otherwise marks any such lamps for use by any other person.

- (7) "Military exemption order" means a purchase order or contract for incandescent, fluorescent or glow discharge lamps, or parts for such lamps, to be delivered to or physically incorporated into lamps to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal or the armed forces of any country eligible for Lend-Lease assistance pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), if the order or contract
- (i) Is for shipment outside the continental limits of the United States, or
- (ii) Is accompanied by a certification in the following form signed by the appropriate procuring officer or person placing the order:

This is to certify that all lamps (or lamp parts) specified in this order are to be used by the United States Army (or Navy, Maritime Commission, War Shipping Administration or Panama Canal, or armed services of a Lend-Lease country) on ships, aircraft, vehicles or weapons, or outside the continental limits of the United States.

Ву. \_\_\_\_\_

(b) Restrictions on use of metals in lamp leads, filament supports, terminals and lamp bases. No manufacturer shall produce any lamp leads, filament supports, terminals or lamp bases containing nickel, copper, brass or chromium, except

(1) In electroplated coatings (but no nickel may be used for plating lamp

bases)

(2) In alloys of controlled thermal expansion properties, but such alloys may be used only for sealing in glass in the minimum size and length required for practical sealing;

(3) Copper or nickel in sheathing on ferrous wire or strip, commonly called "copperweld" or "nickel-clad" or "cop-

per-clad";

(4) Copper and nickel in leads for rough service lamps;

(5) Brass in base eyelets, or pins;

(6) Brass bases for incandescent or glow discharge lamps in fulfillment of military exemption orders;

(7) As permitted by the War Production Board on Form WPB-1319 (formerly

PD-556).

(c) Production of certain incandescent lamps used for advertising or decorative purposes prohibited. No manufacturer shall produce any incandescent or fluorescent lamps designed primarily for use in Christmas trees, or for advertising, decorative or display purposes.

(d) Special provision concerning production and delivery of blackout lamps. Except to fill orders, contracts or subcontracts for blackout lamps for the Army, Navy, United States Maritime Commission, War Shipping Administration or the Panama Canal, no manufacturer shall produce any blackout lamp or convert any incandescent lamp into a blackout lamp by etching, painting or coating it unless the blackout lamp conforms to specifications approved by the Army or Navy of the United States and its production is specifically authorized by the War Production Board.

(e) Restrictions on production and delivery of incandescent, fluorescent and glow discharge lamps. (1) No manufac-turer shall produce or deliver any incandescent, fluorescent or glow discharge lamps except in accordance with quotas specifically approved by the War Production Board on Form WPB-2719 (formerly PD-880), which each manufacturer must file with the War Production Board on or before the 15th day of March, June, September and December, showing his proposed production and delivery for the

next quarter.

(2) The quota of lamps approved under this parapragh (e) shall constitute the full production authorized for that manufacturer, whether or not that quota corresponds to the authorized production schedule approved for the same quarter under the Controlled Materials Plan on Form CMP-4B.

(3) The War Production Board will give notice to all manufacturers of the

total production authorized.

(f) Special provisions with regard to preference ratings and deliveries. (1) No rating below AA-4 for incandescent, fluorescent or glow discharge lamps shall be valid for any purpose, and all orders bearing such ratings shall be treated as unrated orders. This does not apply to telephone switchboard signal lamps.

(2) No final purchaser shall accept delivery of any incandescent, fluorescent

¹Formerly Part 1049, § 1049.1.

or glow discharge lamps on a preference rated order if by accepting that delivery, he will have more lamps of the same size and type in his inventory than a thirty

day supply.

(3) No person shall make a delivery of any incandescent, fluorescent or glow discharge lamps to a final purchaser on a preférence rated order if he knows or has reason to know that the delivery will provide the final purchaser with more lamps of the same size and type in his inventory than a thirty day supply.

(4) None of the provisions of this paragraph (f) apply to orders of the Army, Navy, U.S. Maritime Commission, War Shipping Administration and Pan-

ama Canal.

(g) Avoidance of excessive inventories. Manufacturers shall not accumulate for use in the production of incandescent, fluorescent or glow discharge lamps, or parts therefor, inventories of raw materials, semi-processed materials, or finished parts in greater quantities than the minimum necessary to maintain production of such lamps or parts as permitted by this order.

(h) Appeal. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal, with the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-28.

(i) Applicability of other orders and regulations. The provisions of this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of incandescent, fluorescent or glow discharge lamps or parts therefor, to a greater extent than does this order, the other order shall govern unless it states otherwise.

(j) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) Communications. All reports to be filed and other communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-28.

Issued this 1st day of October 1943. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 43-15993; Filed; October 1, 1943; 11:21 a. m.]

PART 3291—CONSUMERS DURABLE GOODS 1 [Limitation Order I-104, As Amended October 1, 1943]

METAL HAIR PHIS AND LIETAL EOD PINS

Section 3291.2601 Limitation Order L-104 is hereby amended to read as fol-

§ 3291.260 Limitation Order L-104-(a) What this order does. This order states the rules governing the manufacture of metal hair pins and bob pins. It sets quotas for the use of steel in each quarter and also limits the length of each hair pin and bob pin which may be made and the number which may be packaged together.

(b) How much steel may be used. (1) No manufacturer shall use more steel in making hair pins and bob pins than the amount stated below. In each quarter he is limited to a percentage of the steel he used in 1941, the base year. For this purpose the net weight of all the metal hair pins and bob pins made is considered the amount of steel used.

(2) In the quarter from October 1 to December 31, 1943, a manufacturer's quota is 141/2% of the steel he used in 1941; in other words he may not use steel at a rate greater than 58% of his

average rate for 1941.

(3) In the quarter from January 1 to March 31, 1944, and in each later quarter, a manufacturer's quota is 1212% of the steel he used in 1941; in other words he may not use steel at a rate greater than 50% of his average rate for 1941.

(4) If a manufacturer is unable to complete in any quarter his full quota of hair pins or bob pins, he may use any unused balance in the first month of the next quarter. This is in addition to his quota for that quarter.

(c) Special restrictions on manufacturing and packaging. (1) No manufacturer shall make hair pins or bob pins of any metal other than carbon steel.

(2) No manufacturer shall make any metal hair pins or bob pins more than

two inches long.

(3) No manufacturer shall sell any metal hair pins or metal bob pins in packages or on cards containing more

than 100 hair pins or bob pins.

(d) Reports. On January 20, April 20, July 20, and October 20 of each year, beginning October 20, 1943, each manufacturer of metal hair pins and metal bob pins shall file with the War Production Board a report on Form WPB-1600 (formerly PD-655) showing his production and shipments for the preceding quarter. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Applicability of other orders and regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. In so far as any other order of the War Production Board limits the use of any material in the production of metal hair pins and metal bob pins to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) Appeals. Any appeal from the provisions of this order should be made on Form WPB-1477 (formerly PD-500), and should be filed with the field office of the War Production Board for the district in which is located the plant to

which the appeal relates.

(h) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumer's Durable Goods Division, Washington 25, D. C., Ref: L-104.

Issued this 1st day of October 1943. WAR PRODUCTION BOARD. By J. Joseph Whelan. Recording Secretary.

[F. R. Doc. 43-15994; Filed, October 1, 1943; 11:21 a. m.]

> PART 3293-CHEMICALS [Allocation Order M-350]

IPECAC AND EMETINE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of ipecac and emetine for defense, for private account and for export; and the following order is deemed necessary and appro-priate in the public interest and to promote the national defense:

§ 3293.536 Allocation Order M-350-Definitions. (1) "Ipecac" means the dried rhizome and roots of Cephaelis Ipecacuanha, known as Rio Mato Grosso or Brazilian Ipecac, and includes but is not limited to, the other varieties known as Cartagena, Nicaragua or Panama Ipecac. The term includes any uncompounded form of Ipecac but does not include dosage forms (pills, tablets, capsules, ampoules, etc.).

(2) "Emetine" means the alkaloid of that name isolated from ipecac, or pre-pared synthetically. The term includes any compound of emetine, including, but not limited to, emetine hydrochloride, but does not include dosage forms (pills,

tablets, capsules, ampoules, etc.)
(3) "Producer" means any person who produces or imports ipecac or emetine and includes any person who has either

<sup>&</sup>lt;sup>2</sup>Formerly Part 1199, § 1189.1.

produced for him pursuant to toll agree-

- (4) "Distributor" means any person who buys ipecac or emetine for resale without further processing.
  (5) "Supplier" means a producer or
- distributor.
- (b) Restrictions on deliveries and use. (1) On and after November 1, 1943, no supplier shall deliver or use ipecac or emetine except as specifically authorized in writing by War Production Board. No person shall accept delivery of either where he knows or has reason to believe that it is delivered in violation of this order.
- (2) Authorizations or directions as to deliveries or use to be made by suppliers in each calendar month will generally be issued by War Production Board before the beginning of the month, but may be issued at any time. They will normally be issued on Form WPB-2947 (formerly PD-602) which is to be filed by the supplier with War Production Board as explained in paragraph (e) below.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of ipecac or emetine to be delivered to, or then in the inventory of, the

prospective user.

- (4) If a supplier is authorized or directed by War Production Board to deliver ipecac or emetine to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, he must immediately notify War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-350, and shall not deliver the material to anyone else, or use it, until he receives further instructions.
- (c) Exceptions for small deliveries and for deliveries to compounders under toll Specific authorization in agreement. writing by War Production Board shall not be required for:
- (1) Delivery by any supplier to any person in any month of 25 lbs. or less of ipecac or one ounce or less of emetine; provided, however, that no supplier shall in any calendar month deliver in small quantities pursuant to this paragraph a greater total quantity of ipecac or emetine than he has been authorized by War Production Board to deliver in small quantities in that month.
- (2) Delivery of ipecac or emetine by any person to any other person for compounding into standard dosage forms for medicinal purposes pursuant to toll agreement.
- (d) Supplier to obtain from customer certificate of intended use. No supplier shall, in any calendar month (except pursuant to (c) (2) hereof) deliver to any person more than 25 lbs. of ipecac or more than one ounce of emetine, unless he has received from him a certificate as to the use for which the material is ordered. Such certificate must be substantially in the form indicated in Appendix A to this order. It must be received by the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not make de-

livery where he knows or has reason to believe a purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on it.

(e) Applications by suppliers. Each supplier requiring authorization to make delivery of, or to use, ipecac or emetine during any calendar month, shall file applications on or before the 20th day of the preceding month. The application shall be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix B to this order. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(f) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) Forms. Form WPB-2947, provided for in paragraph (e) and Appendix A Certificate, have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(3) Violations. Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States government is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from, processing or using, material under priority control and may be deprived of priorities assistance.

(4) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-350.

Issued this 1st day of October 1943. WAR PRODUCTION BOARD.

By J. JOSEPH WHELAN, Recording Secretary.

APPENDIX A-CUSTOMER'S CERTIFICATE OF IN-TENDED USE

The undersigned purchaser hereby certifles to War Production Board and to his supplier, pursuant to Order M-350, that the ipecac and emetine (strike out inapplicable word] hereby ordered for delivery in (month), 194\_, will be used by him in the manufacture or preparation of the following product(s), and that such product(s), on the basis of an order or orders filed with the undersigned, will be put to the following end use(s):

	Pounds	Primary product End use	
(A) (B)	*		
	•	Name of Purchaser	

Duly Authorized Official Title Date

INSTRUCTIONS FOR CUSTOMER'S CERTIFICATE

(1) The original certificate must be signed by the purchaser or by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7. A copy shall be retained by the purchaser. (2) Specify under "Primary Product" the

exact product or products in which the ipecae or emetine will be used or incorporated. For example, a person purchasing incae for use in the manufacture of emetine will specify "Emetine". Distributors ordering ipecae or emetine for resale as such will specify "Resale". If purchase is for inventory, state

"Inventory".

(3) Under "End Use", specify the ultimate use to which the primary product will be put. Also indicate whether such end use is civilian, Lend-Lease, other export, or milltary, and if the product is for uses falling in or more such categories, the percentage falling in each. Also, indicate contract number in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor purchasing ipecae or emetine for resale, will leave blank the "End Uso" column.

APPENDIX B-SPECIAL INSTRUCTIONS FOR SUP-PLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) Copies of Form WPB-2947 (formerly PD-602) may be obtained at local field offices of the War Production Board.

(2) Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-350, retaining the third copy for your files. The original filed with the War Production Board shall be signed by the purchaser or by a duly authorized official, either manually or as provided in Priorities Regulation No. 7.

(3) Where the supplier's application relates to deliveries of both ipecac and emetine, he will file a separate set of Form WPB-2947

(formerly PD-602) for each.

(4) In the heading, under "Name of material", specify "Tpecac" or "Emetine", as the case may be; leave blank the space following "Grade"; under "WPB Order No.", specify "M-350"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of measure", specify "pounds" or "ounces", as the case may be; under name of company, specify your name and the address of the plant or ware-house from which shipment will be made.

(5) In Column 1, list the names of each customer (except for small orders as explained in (7) below). If it is necessary to use more than one sheet to list customers, number each sheet in order and show total for each material on last sheet, which is the

(6) In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which ipecae or emetine will be used by your customer, the end use to which such product or products will be put, and Army, Navy or Lend-Lease contract num-bers and export license numbers, all as indicated by the certificate obtained under paragraph (d) of this order. The quantity of ipecac or emetine used in the manufacture or preparation of each product for each product use shall be shown separately. If the ipecae or emetine ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of ipecae or emetine ordered for each use. In the case of ipecae or emetine for resale or inventory, it is necessary to show only "Resale" or "Inventory".

(7) It is not necessary to list the name of any customer to whom not more than 25 lbs. of ipecac or one ounce of emetine is to be delivered in the applicable month, nor, in the case of any such delivery, the name of the product or the end use. Instead, write in Column I "Total small order deliveries (estimated)" and in Column 4, specify the total estimated quantity so to be delivered.

(8) In the case of applications for leave to deliver ipecac, it will be assumed unless expressly stated to the contrary, that whole ipecac is intended. If you propose to deliver ipecac in any other form, including powdered ipecac, so state in Column 10.

(9) A producer requiring permission to use a part or all of his own production or importation of ipecac or emetine shall list his own name as customer in Column 1 on Form WPB-2947 (formerly PD-602), specifying quantity required and production manufactured. Written approval of War Production Board on such WPB-2947 (formerly PD-602) shall constitute authority to the producer to use ipecac or emetine in the quantity and for the purposes indicated in such approved form.

(10) Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Grades will be shown in Column 8 in the case only of lpecac in some form other than whole

ipecac.

[F. R. Doc. 43-15995; Filed, October 1, 1943; 11:22 a. m.]

PART 3301—CORK, ASBESTOS AND FIBROUS GLASS<sup>1</sup>

[Conservation Order M-79, as amended October 1, 1943]

ASBESTOS

Section 3301.6<sup>1</sup>. (Conservation Order M-79) is amended to read as follows:

§ 3301.6 (Conservation Order M-79)—
(a) References to Canadian grades. References to Canadian grades of asbestos are in accordance with the Canadian Chrysotile Asbestos Classification as revised December 1, 1942, and adopted by the Quebec Asbestos Producers Association March 22, 1943.

(b) Restrictions on the use of South African asbestos. (1) No person shall process Rhodesian chrysotile asbestos Grade C&G/1 or C&G/2 or Rhodesian chrysotile asbestos having a fibre length equivalent to that of Rhodesian Grade C&G/1 or C&G/2, except for:

(i) Products covered in Navy Specification No. 17-I-29 (Insulation, Electrical, Asbestos Fibre, Treated and Untreated; dated January 2, 1942, or as

same may be amended), or

(ii) Rovings, lapps, yarns, tapes, and cloth which are approved or required to be of non-ferrous nature by Army, Navy, or Maritime Commission performance - or other specifications or Underwriters or governmental safety regulations in effect May 1, 1942.

(2) No person shall process amosite asbestos Grades B-1, B-3, D-3, or 3/DM-1, or amosite asbestos having a fibre length equivalent to that of Grades B-1, B-3, D-3, or 3/DM-1, except for:

(i) Amosite woven insulating felt for use on ships, or

(ii) Fireproof insulating board for use on ships, or

(iii) Molded amosite insulations provided, however, that the amount of 3/DM-1, B-3, or D-3 or equivalent

length amosite fibre used in such insulations shall not exceed 15 per cent by weight of finished product, or

(iv) Flexible amosite pipe insulation for use on ships.

(c) Restrictions on Canadian asbestos. On and after November 1, 1943: (1) No person shall process Canadian crudes or spinning fibro Grades 3F or 3K for asbestos textiles of commercial grade (as defined in paragraph (7) (a) of A. S. T. M. Designation D-299-42):

(2) No person shall accept delivery of Canadian crudes or spinning fibre Grades 3F or 3K for the manufacture of compressed asbestos sheet packing.

(3) No person shall accept delivery of Canadian fibre Grades 3F, 3K, 3R, or 3T for the manufacture of 85% magnesia or other high temperature molded insulations.

(4) No person shall put into process Canadian spinning fibre Grades 3F or 3K at a greater monthly rate than his average monthly consumption for June

and July 1943.

(5) No person shall put into process during any one calendar month Canadian spinning fibre Grades 3R or 3T in amount by weight greater than 20 per cent of the finished compressed asbestos 'sheet packing which he produced during that month.

(6) No person shall process Canadian spinning fibre Grade 3R for textile purposes during any calendar month unless during that month he uses at least one ton of Rhodesian fibre Grade C&G/3 for every five tons of Canadian spinning fibre Grade 3R.

(d) Exemption for waste asbestos materials. Waste or scrap materials produced in the fabrication, spinning or processing of asbestos fibre which cannot be reprocessed and used in fabricating, spinning or processing operations permitted under the foregoing limitations of this order, may be sold or disposed of without restriction under this order.

(e) Reports. The War Production Board may send copies of Form WPB-2916, WPB-2917 or WPB-2918 (formerly PD-251, PD-252 and PD-253) to any person who manufactures any product containing asbestos or who maintains a stock of asbestos. The person receiving the forms shall return them with the required information to the War Production Board on or before the following 10th of the month.

(f) Prohibitions against sales or deliveries. No person shall sell or deliver asbestos fibre or any product made therefrom if he knows or has reason to believe such material or product is to be used in violation of the terms of this order.

in violation of the terms of this order.

(g) Special directions. The War Production Board at its discretion may at any time issue special directions to any person with respect to his use, processing, delivery or acceptance of delivery of any grade or type of asbestos, notwithstanding any other provision of this order.

(h) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of

War Production Board, as amended from time to time.

(2) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) Forms. Forms WPB-2916, WPB-2917, and WPB-2918, referred to in paragraph (e), have been approved by the Bureau of the Budget in accordance with

Federal Reports Act of 1942.

(4) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States Government is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(5) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Cork, Asbestos & Fibrous Glass Division, Washington 25,

D. C., Ref.: M-79.

Issued this 1st day of October 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 43-15936; Filed, October 1, 1943; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1D,1 Admt. 1]

TIRES, TUBES, RECAPPING, AND CAMELEACK IN CANAL ZONE

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 1D is amended in the following respect:

1. Section 1.5 is amended to read as follows:

Src. 1.5. Jurisdiction of Board. The Board shall have jurisdiction to receive and act upon applications with respect

(a) A vehicle normally stationed or garaged within the Canal Zone;

(b) a vehicle normally stationed or garaged within the Republic of Panama, if the owner of such vehicle is authorized to purchase tires, tubes or recapping service in the Canal Zone under provi-

<sup>1</sup>8 F.R. 8332.

<sup>&</sup>lt;sup>1</sup>Formerly Part 1064; § 1064.1.

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

sions of existing treaties and agreements between the United States and the Republic of Panama.

This amendment shall become effective October 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F. R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-L, 7 F.R. 7200, 7281; Supp. Dir. 1-Q, 7 F.R. 9121; Rev. Gen. Order 33, 8 F.R. 4370)

Issued this 30th day of September 1943. GLEN E. EDGERTON. Rationing Administrator for the Canal Zone.

[F. R. Doc. 43-15965; Filed, September 30, 1943; 4:59 p. m.]

PART 1388—DEFENSE-RENTAL AREAS. [Rent Reg. for Housing,1 Amdt. 9]

FAILURE TO FILE REGISTRATION STATEMENT

Section 4 (e) of the Rent Regulation for Housing is amended by adding the following paragraph to read as follows:

If the landlord fails to file a registration statement within the time specified. the rent received for any rental period commencing on or after the date of the first renting or October 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the date of such first renting or from the beginning of the first rental period after October 1, 1943, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

tive October 1, 1943.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

(Pub. Laws 421 and 729, 77th Cong.) Issued this 30th day of September 1943. PRENTISS M. BROWN,

[F. R. Doc. 43-15968; Filed, September 80, 1943; 4:58 p. m.]

Administrator.

PART 1407-RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,2 Amdt. 92]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respect:

Section 1407.105 (e) is amended by substituting the date "November 15, 1943," for the date "September 30, 1943," in the last sentence thereof.

This amendment shall become effective September 30, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 30th day of September 1943.

PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-15966; Filed, September 30, 1943; 4:58 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

> [Rev. Supp. 1 to RO 13,1 Amdt. 24] PROCESSED FOODS

Section 1407.1102 (e) (6) is added to read as follows:

(6) Stamps lettered X, Y and Z may be used from October 1 to November 20, 1943, inclusive.

This amendment shall become effective October 1, 1943,

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Essued this 30th day of September 1943. PRENTISS M. BROWN,

Administrator.

[F. R. Doc. 43-15967; Filed, September 30, 1943; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES This amendment shall become effec- [Rev. Order 23 Under § 1499.3 (c) of GMPR]

#### METALS RESERVE COMPANY

Revised Order No. 23 under § 1499.3 (c) of the General Maximum Price Regulation.

Order No. 23 under § 1499.3 (c) of the General Maximum Price Regulation is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, and in accordance with § 1499.3 (c) of the General Maximum Price Regulation, It is hereby ordered:

§ 1499.823 Authorization of maximum prices of new surplus steel valves for sales by consumer-holders to the Metals Reserve Company, Murray Cook acting

as agent for the Metals Reserve Company, or its agents; and resales by the Metals Reserve Company to steel valve manufacturers-(a) Sales by consumerholders to the Metals Reserve Company. The maximum price for any new surplus steel valve sold or delivered by any consumer-holder to the Metals Reserve Company, Murray Cook acting as agent for the Metals Reserve Company, or any of its agents, pursuant to the War Produc-tion Board Program No. 2844 "Surplus Inventory of new steel valves" shall be the net price which such consumer-holder would be required to pay at the time of the sale according to the applicable price regulation, schedule, or order issued by the Office of Price Administration, to obtain delivery of a similar valve to the same place from which the surplus valve is to be sold.

(b) Resales by the Metals Reserve Company to steel valve manufacturers. The maximum price for the resale by the Metals Reserve Company to any steel valve manufacturer for any surplus steel valve purchased by it pursuant to paragraph (a) above, shall be the net price which the steel valve manufacturer may charge its customer for that valve according to the applicable price regulation, schedule, or order, issued by the Office of Price Administration, covering such valve at the time of the Metals Reserve Company's sale to the steel valve manufacturer.

(c) Transportation. (1) On all sales made in pursuance of this Order No. 23 the Metals Reserve Company shall pay all freight charges incurred in delivering the surplus steel valve from the consumer-holder to the point designated by the Metals Reserve Company.

(2) In the event that the terms of sale between the steel valve manufacturer and his customer are on the basis of f. o. b. the steel valve manufacturer's shipping point, there may be added to the maximum price established under paragraph (b) above, the estimated freight charges incurred in transporting the surplus steel valve from the steel valve manufacturer to his customers' designated receiving point.

(d) Sales between Government agencies. The sale of any new steel valve by one government agency to another government agency through the Metals Reserve Company shall not be subject to the provisions of this amended Order No. 23.

(e) Definitions. For the purpose of this Order No. 23 the term:
(1) "Steel valve" means any gate,

globe, angle, cross, lift check, angle check, swing check, stop check, bar stock, or plug valve (including variations of those types, such as valves generally referred to as quick-opening blow-off, Y-type and hydraulic), whose body and bonnet are made entirely of steel, which are 1/4" or greater in size, and which are designed for 150 pounds per square inch standard working pressure, or more, and includes only new and undamaged steel valves which have never been installed.

(2) "Consumer-holder" means any owner of a new steel valve who acquired such steel value for his own use and not for resale.

<sup>&</sup>lt;sup>1</sup>8 F.R. 7334, 9019, 10618, 10739, 12025, 12795. <sup>2</sup>8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8184, 8678, 8811, 9304, 9458, 10304, 10512, 10937, 11382, 11291, 11292, 11252, 12026, 12181, 12296, 12484, 12484.

<sup>\*</sup>Copies may be obtained from the Office of

Price Administration.

8 F.R. 1840, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589, 8069, 8705, 9203, 10085, 10089, 10728, 11887, 11447, 11483, 11812, 12026, 12297,

"B" coupons for

(3) "Manufacturer" means any person operating an establishment which produces steel valves or who has such steel valves produced for him for resale under his own trade name and any subsidiary or affiliate, commission salesman, or other agency of such person.

(4) "Customer" means the customer of the manufacturer with respect to whom the manufacturer holds a rated order of proper priority, issued by the War Production Board for delivery ofsteel valves prior to November 1, 1943.

(f) This Revised Order No. 23 may be revoked or amended by the Price Administrator at any time.

This Revised Order No. 23 shall become effective October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of September 1943. . PRENTISS M. BROWN,

Administrator.

[F.R. Doc. 43-15964; Filed, September 30, 1943; 4:59 p. m.]

# PART 1362—CERAMIC PRODUCTS [MPR 416,1 Amdt. 1]

# BASIC REFRACTORY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 4.1 is amended to read as follows:

SEC. 4.1 Application. The provisions of this article shall apply to sales by all persons of basic refractory brick shipped from Hays, Plymouth Meeting or Chester,

Pennsylvania, or Baltimore, Maryland. However, this regulation does not apply to sales of basic refractory brick not listed in section 4.4 except to the extent that such sales exceed \$50,000 worth of unlisted basic refractory brick during a period of one year from the effective date of this regulation (and for each successive year thereafter) or that such sales exceed 150 tons of any kind of unlisted basic refractory brick during such periods.

If a contemplated sale of any unlisted basic refractory brick would exceed either of these.limits, the manufacturer, before offering such brick for sale, must apply to the Office of Price Administration for a price under § 1499.154 of Maximum Price Regulation No. 188.

This amendment shall become effective October 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of October 1943. PRENTISS M. BROWN Administrator.

[F. R. Doc. 43-16005; Filed, October 1, 1943; 11:15 a. m.]

<sup>1</sup>8 F.R. 8940.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

# [RO 50,1 Amdt. 77]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 5C is amended in the following respects:

- 1. In § 1394.7652 the table of valid periods of coupons contained in Class A books is amended in respect to coupons numbered 6, 8, 9 and 10, respectively, as follows:
- 6. May 22, 1843, to July 21, 1943, inclusive, outside the gasoline shortage area, and from July 22, 1943, to November 8, 1943, inclusive, in the gasoline shortage area.

8. September 22, 1943, to November 21, 1943, inclusive, outside the gazoline chortage area, and from November 9, 1943, to February 8, 1944, inclusive, in the gazoline short-

9. November 22, 1943, to January 21, 1944, inclusive, outside the gesoline chortage area, and from February 9, 1944 to May 8, 1944, inclusive, in the gasoline chortage area.

10. January 22, 1944, to March 21, 1944, inclusive, outside the gasoline chortage area, and from May 9, 1944 to August 8, 1944, inclusive, in the gasoline chortage area, and from May 9, 1944 to August 8, 1944, inclusive, in the gasoline chortage area.

clusive, in the gasoline chortage area.

2. Section 1394.7653(d) (2) is amended to read as follows:

(2) From a Class A book issued in the gasoline shortage area:

(i) In respect to a Class A book issued before November 9, 1943, all expired coupons and one currently valid coupon for each full fourteen days which have elapsed in the "valid period" during which such book is issued:

(ii) In respect to a Class A book issued on or after November 9, 1943, all expired coupons and one currently valid coupon for each full twelve days which have elapsed in the "valid period" during which such book is issued.

3. In § 1394.7653 (f) the text preceding subparagraph (1) is amended by substituting for the date "November 21, 1943:" the date "November 8, 1943."

4. Section 1394.7704(b) is amended by substituting the number "320" for the number "360" in the proviso.

5. Section 1394.7705 (a) (2) is amended to read as follows:

(i) In the event that the mileage allowed by the Board is 320 miles per month or less: One or two Class B books containing the number of coupons specified in Table IA for the mileage allowed. The Board shall note the date of issuance on such books as the date on which they become valid, and an earliest renewal date three months from the date of issuance.

- 6. Section 1394.7705 (a) (2) (ii) is amended by substituting the number "320" for the number "360."
- 7. Section 1394.7705 (a) (3) (i) is amended by substituting the phrase "one or more Class B books" for the phrase "one or two Class B books."
- 8. In § 1394.7705 (a) (4) Table IA, Table IB, and Table IIA and Table IIB are amended to read as follows:

TABLE IA-DETERMINATION OF ALCOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION DI GASOLINE SHORTAGE AREA

For passenger automobiles with an allowed mileage of 320 miles per month or less.

(For motorcycles, use Table 1C)

Miles per month: 3 month	ŝ
1-10	1
11-20	2
21-30	3
31-40	4
41-50	. 5
61-60	6
61-70	7
71-80	8
81-90	9
91-100	10
101-110	11
111-120	12
121-130	13
131-140	14
141-160	15
161-160	16
161-170	17
171-180	18
181-190	19
191-200	20
201-210	21
211-220	22
221-230	23
231-240	24
241-250	25
251-260	26
261-270	27
271-239	23
231-230	29
291-300	30
301-310	31
311-320	32

TABLE IB-DETERMINATION OF AMOUNT OF SUF-PLEMENTAL RATION IN AREA B

For passenger automobiles which are entitled to Basic rations, and for which more than 60 miles but not more than 480 miles per month are allowed.

(For motorcycles, use Table 1C)

	"B" coupons for
Miles per month:	3 months
Up to 69	0
61-70	
71-69	2
81-90	
91-100	4
101-110	5
111-120	6
121-130	
131-140	
141-150	
151-160	
161-170	
171-180	
181-190	
191-200	14
201-210	
211-220	
221-230	17
231-240	
241-250	
251-260	
261-270	
271-280	
281-230	
231-300	
301-310	

<sup>\*</sup>Copies may be obtained from the Office of Price Administration.

<sup>17</sup> F.R. 9135, 9787, 10016, 10147, 10338, 10708, 10787, 11009, 11070, 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1282, 1318, 1365, 1533, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3254, 3255, 3315, 3616, 4163, 4341, 4850, 4976, 5267, 5268, 5465, 5564, 5758, 6179, 6261, 6441, 6240, 6687, 7390, 7455, 8007, 8160, 8680, 6980, 9022, 8005, 9202, 9219, 9346, 9334, 9334, 4857, 9531, 10082, 10644, 10644, 10646 9219, 9304, 9334, 9457, 9531, 10082, 10304, 10365 10511, 11429, 12023, 12025, 13124, 13160, 13251.

Table IB—Determination of Amount of Supplemental Ration in Area B—Con.

"B" coupons fo	T
Miles per month—Continued. 3 months	
311-320	6
321-3302	7
331-3402	8
341-3502	9
351-3603	0
361-370 3	1
	2
381-390 3	3
	4
	5
	6
	7
431-440 8	8
	9
	0
	1
	2
TABLE IIA—DETERMINATION OF AMOUNT O	F

SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN GASOLINE SHORTAGE AREA For passenger automobiles with an allowed mileage of more than 320 miles per month.

(For motorcycles, use Table 1C)

(For	motorcycles,	use	Table	10)	
		-	"C" co	upons	fòr
Miles per	month:			ionths	,
201_220		~		•	33
					34
341_350					35
351_360					36
361_370					37
371_380					- 38
381_300		·			39
301_400				·	40
401-410					41
					42
					43
					44
					45
451-460-					46
461-470.			.i		47
471-480.					. 48
					49
					50
					51
					52
					53
531-540.					54
					55
					56
					57
571-580.					· 58
581-590.					59
					60
601-610.			a		61
611-620.					62
					63
631-640.				·	
641-650.					65
					67
					68
					69
					71
					72
					73
					74
					75
					76
					77
	<u>*</u>				78
					80
					81
021-030					83 84
001-040					85
					86
					87
					88
					89
302-300					00

TABLE IIA—DETERMINATION OF AMOUNT OF SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN GASOLINE SHORTAGE AREA—Continued.

	"C" coupons for
Miles per month—Continued.	3 months
911-920	92
921-930	
931-940	94
941-950	
951-960	
961-970	
971-980	
981-990	99
991–1000	
1001-1010	10
1011-1020	
1021-1030	10:
1031-1040	104
1041-1050	10
1051-1060	
1061-1070	
1071-1080	10
1081-1090	100
1091-1100	

(In the event allowed mileage exceeds 1100 miles, one additional coupon shall be issued for each 10 miles or fraction thereof)

Table IIB-Determination of Amount of Surplemental Ration in Area B

For passenger automobiles which are entitled to basic rations and for which more than 480 miles per month are allowed.

(For motorcycles, use Table IC)

"C" compone for

<u>.</u> •	"C" coupons ;	for
files per month:	. 3 months	
481-490		43
491-500		44
501-510		45
511-520		46
521-530		47
		48
531-540		49
551-560		50
		51
561-570		52
571-580	·	53
581-590		
591-600		54
601-610		55
611-620		56
621-630		57
631-640		58
641-650		59
651–660		60
661-670		61
671-680		.62
681-690		63
691-700		64
701-710		65
711-720		66
721-730		67
731-740		68
741-750		69
751-760		70
761-770		71
771–780		72
781-790		73
791–800		74
801-810		75
811-820		76
821-830		77
		78
831-840		79
841-850		
851-860		80 81
861-870	·^	
871-880		82
881-890		83
891-900		84
901-910		85
911-920		86
921-930		87
931-940		88
941-950		89
951-960		80
961-970		91
971-980		92
981-990		93
991-1000		94
1001-1010		95
1011-1020		96

TABLE IIB—DETERMINATION OF AMOUNT OF SUPPLEMENTAL RATION IN AREA B—Con.

	"C" coupons for"		
Miles per month-Continued.	3 months		
1021-1030	97		
1031-1040	98		
1041-1050	99		
1051-1060	100		
1061-1070	101		
1071-1080	102		
1081-1090	103		
1091-1100	101		

Note: In the event the allowed mileage exceeds 1,100 miles, one additional coupon shall be allowed for each 10 miles, or fraction thereof, of allowed mileage in excess of 1,100 miles. Additional books may be issued if necessary to provide additional coupons.

- 9. Section 1394.7707 (a) (3) is amended by substituting the number "320" for the number "360".
- 10. Section 1394.7754 (b) (3) is amended by substituting the number "320" for the number "360".
- 11. Section 1394.7755 (a) (2) (i) is amended to read as follows:
- (i) In the event that the mileage allowed by the Board is 320 miles per month or less: One or two Class B books containing the number of coupons specified in Table IA in § 1394.7705 (a) (4) for the mileage allowed. The Board shall note on such books the date of issuance as the date on which they become valid, and an earliest renewal date three months from the date of issuance.
- 12. Section 1394.7755 (a) (2) (ii) is amended by substituting the number "320" for the number. "360" and by substituting the reference "§ 1394.7705 (a) (4)" for the reference "§ 1394.7705 (a) (3)".
- 13. Section 1394.7755 (a) (3) (i) is amended by substituting the words "one or more" for the words "one or two."
- 14. In § 1394.7755 (a) (4) Table IIIB and Table IVB are amended to read as follows:

TABLE HIB—DETERMINATION OF AMOUNT OF OFFICIAL OR FLEET RATION IN AREA B

For passenger automobiles with an allowed mileage of not more than 480 miles per month.

To be used for official or fleet passenger automobiles and other specified passenger automobiles not entitled to Basic rations.

(For metorcycles, use Table IIIC)

	"B" coupons for
Miles per month:	- 3 months
1-10	
11-20	
21-30	
31-40	
41-50	
51-60	
61–70	7
71-80	
81-90	.:
91–100	
101-110	11
111-120	12
121-130	13
131-140	
141-150	15
151-160	
161–170	
171-180	
181-190	19
191-200	20
201-210	o

TABLE HIB-DETERMINATION OF AMOUNT OF Official or Fleet Ration in Area B-Con.

"B" coupons	for
Miles per month—Continued. 3 months	
211-220	22
221-230	23
231-240	24
241-250	25
251-260	26
261-270	27
271-280	28
281-290	29
291-300	30
301-310	31
311-320	32
321–330	33
331-340	34
341-350	35
351-360	36
361-370	37
371-380	38
381-390	39
391-400	40
401-410	41
411-420	42
421-430	43
431-440	44
441-450	45
451-460	46
_ 461-470	47
471-480	48

TABLE IVE-DETERMINATION OF AMOUNT OF OFFICIAL OR FLEET RATION IN AREA B

For passenger automobiles with an allowed mileage of more than 480 miles.

To be used for official or fleet passenger automobiles and other specified passenger automobiles not entitled to Basic rations.

(For	motorcycles,	use	Table	IIIC)	0
			"C"	coupon	
Miles per			31	nonths	3
491-500_					_ 5
501-510.					- 5
531-540_					- 54
0.11-090 <sup>-</sup>			~		_ 6
761-770					. 7
771_780					_ 7
781_790					- 7
791-800					- 8
801-810					- 8 - 8
851-860				<b></b> _	_ 8
881-890					- 8
. 201-210		'			_ 9
					-
931-940.					_ 9

TABLE IVE-DETERMINATION OF AMOUNT OF OFFICIAL OF FLIET RATION IN AREA B-Con.

HOU common des

	C'' coupons jor
Miles per month—Continued. 941-950	3 months
941-950	95
951-960	88
961-970	97
971-980	98
981-990	
991-1000	
1001-1010	
1011-1020	
1021-1030	
1031-1040	
1041-1050	
1051-1060	
1061-1070	
1071-1080	
1081-1090	
1091-1100	
	4400

(In the event allowed mileage exceeds 1100 miles, one additional coupon shall be issued for each 10 miles or fraction thereof)

15. Section 1394.8051 (e) is added to read as follows:

(e) Notwithstanding any other provisions of this section, no Board in the gasoline shortage area or in Area B shall allow mileage in respect to any renewal of a supplemental, fleet or official ration, or any ration issued pursuant to the provisions of §§ 1394.7757 or 1394.7758 which will in any way compensate for any loss in mileage due to the reduction in the unit value of Class B and C book coupons made in the Restricted Area on June 2, 1943, or in Area B on August 16, 1943, or in the gasoline shortage area and in Area B on October 1, 1943, unless such restoration of mileage has already been made pursuant to the former provisions of § 1394.8353 (j) or unless such restoration is made pursuant to the provisions of § 1394.8052.

16. Section 1394.8052 (c) is amended to read as follows:

(c) If a Board determines that, for one or more of the reasons specified in paragraph (a) of this section, the applicant requires more mileage, or, in the case of a non-highway ration, he requires more gasoline than the amount provided by the current ration issued to him, and that he has satisfied all the reequirements of Ration Order 5C in respect to the allowance and issuance of the ration for which he has applied, it may grant a further ration in accordance with the provisions of §1394.8054. However, the Board may grant a ration to compensate for mileage lost by reason of a reduction in the unit value of Class A, B or C coupons or of the extension of the period of validity of Class A coupons or Basic Class D coupons only if it finds that the applicant still requires the mileage lost by reason of such reduction.

17. Section 1394.8207 (f) is revoked.

18. Section 1394.8215 (r) (1) is amended by deleting the last sentence.

19. Section 1394.8215 (r) (2) is

amended by deleting the second sentence.

20. Section 1394.8215 (u) is added to read as follows:

(u) (1) On October 1, 1943, every dealer who has in his possession or control Class B or C coupons issued as parts of Form OPA R-527B or Form OPA R-528B which he acquired in exchange for lawful transfers of gasoline made by him prior to October 1, 1943 in the Restricted Area at a time when such coupons had a unit value of two and one-half gallons of gasoline per coupon, shall summarize such coupons at a value of two and onehalf gallons per coupon on a summary form (Form OPA R-541). On or before October 6, 1943, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located. The Board shall issue to the dealer in exchange for such coupons, inventory coupons equal in gallonage value to the coupons so surrendered. From October 1 to October 6, 1943, inclusive, each distributor shall transfer gasoline within the Restricted Area at a rate of two and one-half gallons for each such coupon so surrendered. After October 6, 1943, no distributor shall accept from a dealer any such coupons so remitted, nor shall he make any transfer of gasoline in exchange for such coupons so remitted except upon a basis of two gallons of gasoline per coupon.

(2) On or before October 11, 1943, a distributor may deposit in a ration bank account at a two and one-half gallon value any Class B or C coupon issued as a part of Form OPA R-527B or Form OPA R-528B which he acquired in exchange for a lawful transfer of gasoline made in the Restricted Area to a consumer before October 1, 1943, or to a dealer on or before October 6, 1943, at a rate of two and one-half gallons per coupon. After October 11, 1943, every Class B or C coupon deposited by a distributor in the Restricted Area shall be deposited at a value of two gallons.

21. Section 1394.8215 (v) is added to read as follows:

(v) (1) On October 1, 1943, every dealer who has in his possession or control Class B or C coupons issued as parts of Form OPA R-527B or Form OPA R-528B which he acquired in exchange for lawful transfers of gasoline made by him prior to October 1, 1943 in Area B or in that part of the gasoline shortage area which is outside the Restricted Area at a time when such coupons had a unit value of three gallons of gasoline per coupon, shall summarize such coupons at a value of three gallons per coupon on a summary form (Form OPA R-541). On or before October 6, 1943, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located. The Board shall issue to the dealer in exchange for such coupons, inventory coupons equal in gallonage value to the listed value of the coupons so surrendered. From October 1, 1943, to October 6, 1943, inclusive, each distributor shall transfer gasoline within Area B and within that part of the gasoline shortage area which is outside the Restricted Area at a rate of three gallons for each such coupon so surrendered. After October 6, 1943, no distributor shall accept from a dealer any such coupons so remitted, nor shall he make any transfer of gasoline in exchange for such coupons so remitted, except upon a basis of two gallons of gasoline per coupon.

(2) On or before October 11, 1943, a distributor may deposit in a ration bank account at a three gallon value any Class B or C coupon issued as a part of Form OPA R-527B or Form OPA R-528B which he acquired in exchange for a lawful transfer of gasoline made by him at a rate of three gallons per coupon in Area B or in that part of the gasoline shortage area which is outside the Restricted Area. After October 6, every Class B or C coupon deposited by a distributor in Area B or in the gasoline shortage area shall be deposited at a value of two gallons.

22. Section 1394.8353 is revoked.

This amendment shall become effective 12:01 a. m. October 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Nore: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of September 1943.

> PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-16006; Filed, October 1, 1943; 11:18 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,1 Amdt. 9 to Supp. 1]

MILEAGE RATIONING; GASOLINE REGULATIONS

Supplement No. 1 to Ration Order 5C is amended in the following respects:

- 1. In § 1394,8401 (a) the text preceding subparagraph (1) is amended to read as follows: "The value of the unit represented by valid Class A, B, C, D, E, R, T-1 and T-2 coupons is hereby designated and fixed as follows:"
- 2. Section 1394.8401 (a) (1) (i) is amended to read as follows:
- (i) Four (4) gallons of gasoline, with respect to Class A, B, and C book coupons in Area A.

Two gallons of gasoline with respect to Class B and C book coupons in Area B and the gasoline shortage area.

Three (3) gallons of gasoline with respect to Class A book coupons in Area B and in the gasoline shortage area.

3. Section 1394.8401 (a) (1) (iii) is revoked.

This amendment shall become effective at 12:01 A. M., October 1, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No.

Issued this 30th day of September 1943.

PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-16007; Filed, October 1, 1943; 11:18 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

. [RO 3,1 Amdt. 91]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment; issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respect:

Section 1407.182 (b) is amended to read as follows:

(b) An exempt agency, or an agency listed in § 1407.184a (a), shall issue a check in the proper amount to the person making delivery by the time of delivery or as soon as practicable thereafter.

This améndment shall become effective October 6, 1943.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

. Issued this 1st day of October 1943.

PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-16012; Filed, October 1, 1943; 11:15 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. Supp. 1 to RO 13,2 Amdt. 23]

PROCESSED FOODS

Section 1407.1102 (c) (8) is added to read as follows:

(8) For the reporting period beginning, October 31, 1943 and ending December 4, 1943-6.

This amendment shall become effective October 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719, E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of October 1943.

PRENTISS M. BROWN, Administrator.

[F. R. Doc. 48-16008; Filed, October 1, 1943; 11:15 a. m.]

1Q. 7 FR. 562, 9121; E.O. 9125, 7 FR. PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

> [RO 13,1 Amdt. 25 to Rev. Supp. 1] PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Tables of Point Value (No. 8) which is made a part hereof.2

This amendment shall become effective 12:01 a.m., October 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of October 1943. PRENTISS M. BROWN, Administrator.

[F. R. Doc. 43-16010; Filed, October 1, 1943; 11:16 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,8 Amdt. 70]

MEAT

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register,\*

Ration Order 16 is amended in the following respects:

- 1. Section 1.1 (a) (1) is amended by deleting the period at the end of the 10th sentence and adding the following:
- \* \* \* (a) (1) and (2). However, meat does include any of the items listed in section 30.2 (a) (2) when they are used in an edible product in combination with each other or with any of the other items defined as meat in this paragraph.
- 2. Section 7.5 (e) is added to read as follows:
- (e) Notwithstanding the provisions of paragraph (a), if an industrial user, as part of his registration, included the amount of items listed in section 30.2 (a) (1) and (2) in his report of foods used in each quarter of 1942, he must, at the time he applies for his next allotment, (beginning with the allotment for the period beginning October 1, 1943) notify the board of these amounts. The board must deduct these amounts from the amounts of foods reported as used in each quarter of 1942.

<sup>&</sup>lt;sup>1</sup>7 F.R. 9135, 10110, 10786; 8 F.R. 1366, 1895, 7391, 11147.

<sup>\*</sup>Copies may be obtained from the Office

of Price Administration.

18 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10512, 12026, 12181, 12298, 12484, 12484.

<sup>&</sup>lt;sup>2</sup>8 F.R. 1940, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589, 8069, 8705, 9203, 10085, 10089, 10728, 11387, 11447, 11483, 11812, 11447, 12026, 12297, 12181, 12181.

<sup>&</sup>lt;sup>1</sup>8 F.R. 1840, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589, 8069, 8705, 9203, 10086, 10089, 10728, 11387, 11447, 11483, 11812, 12026, 12207, 12181, 12181.

<sup>&</sup>lt;sup>2</sup> Filed with the Division of the Federal Register as part of the original Document. Copies may be obtained from the Office of Price Administration.

<sup>\*8</sup> F.R. 6446, 6614, 6620, 6687, 6840, 6960, 6961, 7115, 7268, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8869, 9014, 9025, 9217, 9305, 9886, 10085, 10511, 10685, 10763, 11080, 11513, 11754, 12548, 12549, 12560, 12296, 12403, 12749.

- 3. The definition of "meat" in section 24.1 (a) is amended by deleting the period at the end of the 9th sentence and adding the following:
- (a) (1) and (2). However, meat does include any of the items listed in section 30.2 (a) (2) when they are used in an edible product in combination with each other or with any of the other items defined as meat in this paragraph.
- 4. Section 30.2 is amended to read as

SEC. 30.2 Items excluded from the definition of meat. (a) The following items are not "meat" as that term is used in this order:

- (1) Adrenal glands, Bile, Epididymes, Gullets (closely trimmed), Hog lungs, Lymph glands, Ovaries, Parathyroid glands, Pineal glands, Pituitary glands, Placentas, Prostate glands, Salivary glands, Thyroid glands, and Tonsils.
- (2) Bacon rinds, Beef ear meat, Beef lips, Beef lungs, Beef palate meat, Beef tails, Beef udders, Brains, Diaphragm meat, Edible blood, Edible bones, Feet, Fries, Gullet meat, Heart trimmings, Kidneys, Lamb lungs, Melts, Pork back bones, Pork chitterlings, Pork duodena, Pork ears, Pork faces, Pork skins (gelatine), Pork skins (No. 1), Pork lips, Pork neck bones, Pork snouts, Pork sparerib brisket bones, Pork tails, Tongue trimmings, Tripe, Veal lips, Veal lungs, Veal neck bones, Veal palate meat, and Veal tails.

This amendment shall become effective October 1, 1943.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of October 1943.

PRENTISS M. BROWN. Administrator.

[F. R. Doc. 43-16011; Filed, October 1, 1943; 11:17 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,1 Amdt. 19 to Supp. 1]

MEATS, FATS, FISH AND CHEESES

Supplement 1 to Ration Order 16 is amended in the following respects:

- 1. Section 1407.3027 (a) is amended to read as follows:
- (a) Foods covered by this order shall have the point values set forth in the Official Tables of Consumers and Trade Point Values (No. 7) (OPA Forms R-1313 and 1611) which are made a part hereof.3

2. Section 1407.3027 (e) is amended by striking "and 1612" from the parenthesis.

This amendment shall become effective 12:01 a.m. October 3, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562 and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of October 1943.

PRENTISS M. BROWN, . Administrator.

[F. R. Doc. 43-16009; Filed, October 1, 1943; 11:16 a. m.]

PART 1499—COMMODITIES AND SERVICES [SR 15 to GMPR, Amdt, 11]

#### ETHYL ACETATE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith. has been filed with the Division of the Federal Register.

Section 1499.75 (a) (8) is added to read as follows:

(8) Ethyl acetate. The Office of Price Administration, or any duly authorized representative thereof, may adjust the maximum price established under the General Maximum Price Regulation for any producer of ethyl acetate who shows in an application for adjustment (i) that such maximum price subjects him to substantial hardship; (ii) that there is a general shortage of the essential supply of ethyl acetate; and (iii) that the adjustment requested is necessary to permit him to continue or expand his production of ethyl acetate. Applications for adjustment under this subparagraph are to be filed in accordance with the provisions of Revised Procedural Regulation

This amendment shall become effective October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of October 1943. PRENTIES-M. BROWN, Administrator.

[F. R. Doc. 43-16013; Filed, October 1, 1943; 11:16 a. m.]

PART 1315-RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM-PONENT

[RO 1A, Amdt. 581]

TIRES, TUBES, RECAPPING AND CAMELDACK

A rationale for this amendment has been issued simultaneously herewith and

has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respect:

1. Section 1315.503 (c) (1) is amended by deleting the number "90" and inserting in lieu thereof the number "120".

This amendment shall become effective 12:01 a.m., October 1, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 30th day of September 1943. PRENTISS M. BROWN. Administrator.

[P. R. Doc. 43-16004; Filed, October 1, 1943; 11:16 a.m.l

Chapter XIII—Petroleum Administration for War

> [Recommendation 1, Revocation] PART 1509—CONSUMPTION

CONSUMPTION OF MOTOR FUEL IN EAST COAST AREA

Section 1509.1 (Recommendation No. 1 of the Office of Petroleum Coordinator for National Defense, (6 F.R. 5013)), is hereby revoked, effective immediately.

Œ.O. 9276, 7 F.R. 10091)

Issued this 30th day of September 1943.

RALPH K. DAVIES. Deputy Petroleum Administrator for War.

[P. R. Doc. 43-15974; Filed, October 1, 1943; 10:32 a. m.]

> [Recommendation 3, Revocation] PART 1509—CONSUMPTION

LIMITATION OF DELIVERIES USING MOTOR FUEL

Section 1509.2 (Recommendation No. 3 of the Office of Petroleum Coordinator for National Defense, (6 F.R. 5014)) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091)

Issued this 30th day of September 1943. RALPH K. DAVIES, Deputy Petroleum Administrator for War.

[P. R. Doc. 43-15975; Filed. October 1, 1943; 10:32 a. m.]

[PAO 11, Supp. Order 7, as Amended October 2, 1943]

PART 1515—PETROLEUM PRODUCTION **OPERATIONS** 

CRUDE OIL OPERATIONS IN SOUTHWESTERN LUCHICAN

Section 1515.13, Supplementary Order No. 7 to Petroleum Administrative Order No. 11 (8 F.R. 6548), is hereby amended to read as follows:

Price Administration.

18 F.R. 10079, 10085, 10264, 10430, 10430, 3 1515.13 Supplementary Order No. 7 10733, 11480, 11481, 11952, 11640, 12013, 13172.

10 Feat as 101088.

<sup>18</sup> F.R. 3591, 3714; 4892, 5408, 5758, 6840, 7264, 7456, 7492, 8869, 9203, 10090, 10728, 11688, 12299, 12444, 12549.

<sup>&</sup>lt;sup>2</sup>Filed with the Division of the Federal Register as part of the original Document. Copies may be obtained from the Office of Price Administration.

<sup>\*</sup>Copies may be obtained from the Office of

11-(a) Scope of this order. Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11 or by the provisions of any authorization issued pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, the provisions of this order shall to the extent provided herein be applicable to certain crude oil operations in Southwestern Michigan, but not elsewhere.
(b) Definitions. The definitions of

Petroleum Administrative Order No. 11 shall apply in this order. In addition:

(1) "Southwestern Michigan" means that portion of the State of Michigan included in the Counties of Allegan, Barry, Berrien, Branch, Calhoun, Cass, Kalamazoo, Kent, Muskegon, Ottawa, St.

Joseph, and Van Buren.
(2) "One-half of a quarter-quarter section" means the north, south, east, or west one-half of a quarter-quarter sec-

tion of at least 35 surface acres.

(c), Oil wells drilled in Southwestern Michigan. Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material to drill, complete, equip, connect or provide additions to any oil well in Southwestern Michigan; Provided, That

(1) As to any such oil well which is drilled to and completed at a depth not

exceeding 1,400 feet:

(i) Such well is drilled on a drilling unit of a quarter of a quarter-quarter section upon which no other drilling or producible well is located; and

(ii) All separate property interests in the drilling unit on which such well is drilled are first consolidated with each

other; and

(iii) Such well is drilled at least 300 feet from every lease line, property line, or subdivision line which separates unconsolidated property interests; and

(iv) Such well is drilled at least 500 feet from every other drilling or pro-

ducible well; and

(v) Such well is drilled with due diligence to maintain a vertical well bore.

(2) As to any such oil well which is drilled to and completed at a depth exceeding 1,400 feet but not exceeding

(i) Such well is drilled on a drilling unit of one-half of a quarter-quarter section upon which no other drilling or producible well is located; and

(ii) All separate property interests in the drilling unit on which such well is drilled are first consolidated with each

other; and

(iii) Such well is drilled at least 300 feet from every lease line, property line, or subdivision line which separates unconsolidated property interests; and

(iv) Such well is drilled at least 800 feet from every other drilling or producible well. However, where a well drilled prior to the date of this order is located within 100 feet of the center of a half of a quarter-quarter section, a well may be drilled on the adjoining one-half of the same or of the adjoining quarter-quarter section: Provided, That/

such well is located at least 725 feet from all other drilling or producible wells and at least 300 feet from the boundaries of the drilling unit upon which it is located; and

(v) Not more than two wells (drilled before or after the date of this order) shall be located on any quarter-quarter section: and

(vi) Such well is drilled with due diligence to maintain a vertical well-bore.

(d) Violations. Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited. from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

Œ.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of October 1943.

RALPH K. DAVIES. Deputy Petroleum Administrator for War.

[F. R. Doc. 43-15976; Filed, October 1, 1943; 10:32 a. m.]

#### TITLE 42-PUBLIC HEALTH

Chapter IV-Freedmen's Hospital, Federal -. Security Agency

PART 401-ADMISSION AND OUT-PATIENT TREATMENT

# PAY PATIENTS; CHARGES

Pursuant to the provisions of section 1 of the act of June 26, 1912, 37 Stat. 172, as amended (D. C. Code, section 32-318), paragraph 7, section XXXIII, Regulations of the Freedmen's Hospital, 42 CFR 401.6, is hereby amended to read as

§ 401.6 Pay patients; charges. When a patient is determined to be eligible for hospital care on a pay basis, he or his responsible representative will be required to sign an agreement to pay such costs of hospitalization as are indicated; payments to be made in accordance with the terms therein designated.

# \_\_ FULL PAY ...

# GENERAL HOSPITAL

	٠	•	•	•	•	Pe	r day
Privat	e 1	oom					84.50
Semi-	prly	rate	room.				4.00
Ward.	<u>-</u>						3.50
Childi	ren	und	er 7		i.		2.00
T\$		-2		Foote don	-hia	h than	. chall

Routine laboratory tests for which there shall be no charge:

Urinalysis

Red and white blood counts

.Hemoglobin

Bedimentation

However, there shall be the following extra charges:

1. Drugs not regularly stocked on the wards, prescriptions which must be compounded, and biologicals will be charged for at cost.

2. X-ray (See special list)

3. Laboratory (See special list)

4. Operation room: Major, \$5.00; Minor, 83.50

5. Miscellaneous:

(a) Plasma—Actual cost of material

(n)	Oxygen:	_
	- Per	rnour
	Continuous, use for 24	•
	hours	\$8.00
	Interrupted use	. 50
(c)	Physical therapy treat-	
,	ments, per treatment	2.00
(d)	Casts, each	2.00
FLA	T RATE FOR MATERNITY CASES	

1. There shall be no extra charge for the care of baby, medication, use of delivery room, or other special services.

2. The bill for any number of days' stay under seven, if the mother is delivered in the hospital, should be the same as for a seven

3. Schedule of rates for full pay maternity

Private room, up to 7 days' stay	\$31.50
For each additional day	4.50
Semi-private room to 7 days' stay	28.00
For each additional day	4.00
Ward, up to 7 days' stay	24, 50
For each additional day	9.50

#### TUBERCULOSIS HOSPITAL

All rooms\_\_\_\_ \_\_\_\_\_ \$19.25 a week

All X-ray, laboratory, and special services are included in the above rate.

# PART PAY

# GENERAL HOSPITAL

The following standard shall be used in determining the rates of payment:

Number in family	Family income per month			
in one domicile	Λ	В	σ.	
One	\$64 or less 84 or less 90 or less 109 or less 119 or less 129 or less 139 or less	\$65-\$84 85-104 100-119 110-129 120-139 130-149 140-159	Over— \$85 105 « 120 130 140 160	

A indicates no charge; B part rate (see schedule below); and C indicates full rate (see full pay schedule above).

(Schedule Interpolation schedule above):

<b>₽</b> a;	yment	
	per day	
Minimum through \$2.00 over mini-		
mum	\$0.50	
\$2.01 through \$5.00 over minimum	1.00	
\$5.01 through \$8.00 over minimum	1,50	
88.01 through \$11.00 over minimum	2,00	
\$11.01 through \$14.00 over minimum	2, 50	
814.01 through \$17.00 over minimum	8,00	
\$17.01 through \$20.00 over minimum_	8. 50	
• • •		

All X-ray, laboratory, and special services shall be included in the above part-pay rates. The above part-pay scale shall also apply to maternity cases.

#### TUBERCULOSIS HOSPITAL

The part-pay schedule is modified as follows for tuberculous patients:

lows for tuberculous patients:	
	yment
Deviation pe Minimum through \$2.00 over mini-	r week
mum	82.75
\$2.01 through \$5.00 over minimum \$5.01 through \$8.00 over minimum	5. 50
\$5.01 through \$8.00 over minimum	8. 25
'88.01 through \$11.00 over minimum_	11.00
\$8.01 through \$11.00 over minimum_ \$11.01 through \$14.00 over minimum_	13.75
\$14.01 through \$17.00 over minimum_	16.50
\$17.01 through \$20.00 over minimum_	19, 25
•	20120
X-RAY PRICES	_
Teeth	<b>\$5.00</b>
Chest.	7.00
Gastroduodenal series	10.00
Abdomen	8,00
Barium colon enema	8.00
Gall bladder with dye	7. 50
Gall bladder without dye	5.00
G. I. complete (Stomach, colon, gall	
bladder)	25, 00
Skull:	:
4 views	12.50
2 views	7.50
Mastoids	7. 50
Sinuses	7.50
Shoulder extremities	7. 50
Elbow	5.00
Pelvis	8.00
Hip	8.00
Femur	7.50
Tibla	7.50
Knee	7.50
Hand and foot	5.00
Ankle	<b>7.</b> 50
Spine:	
Complete	20.00
Dórsal	8.00
Lumbar	8.00
Cervical	7.00
ThoraxJaw	8.00
Pyelography:	7.50
Retrograde	10.00
Intravenous	15.00
Aerocystogram	7.50
. Herocystogram	1.00
X-RAY THERAPY	
Pay patient (private or house):	
I. Malignant neoplasm: (15 to 40	
I. Malignant neoplasm: (15 to 40 treatments)	10.00
If series to be repeated, charge	
one-half of original fee.	
•	
H. Benign lesions: T. B. nodes, Ke-	
loids, etc., and other benign lesions	
(1 to 15 treatments)	5.00
· Second series-charge one-half of or	riginal

fee. Fee is for use of X-ray apparatus.

Nore: 1. For any X-ray examination not listed, a reasonable price will be set, using the above table as a guide.

2. Repeat examinations for continuous study and treatment, i. e., pneumonias, fractures, etc., charge 331/3 %.

#### LABORATORY PRICES

	In- patients	Patients referred
Blood chemistry: Sugar Nitrogen complete. CO2 combining power Calcium Phosphorus Chlorides Proteins Phosphates A/G ratio. Urea clearance Amylase Ascorbic acid Cholesterol Uric acid Prothrombin Glucose tolerance.	2.00 2.00 5.00	\$3.00 22.00 22.00 23.00 23.00 24.00 26.00

·	In- patients	Pottents referred
Blood chemistry—Con.		
Galactosa tolerance	85.00	83.00
Albumin-globulin ratio	5.00	05
Spinol fluid martoles		
Spinal fluid proteins Sulphonamide determination	2.00 2.00	3.00 3.00
Serology:	2.03	3.00
Bilirubin	2.00	8.00
	200	3.00
Ecrologic tests for syphilis.	200	3.00
Agglutinations tests	£.00	
Plant trains with conforman	4.63	6.00
Blood typing with scrolegy (per		
completed transfusion)	8.00	
Blood typing		2.00
Cytology:		ľ
Routine cell counts and hemo-	1	- 00
globin (complete hemegrom)!	****	6.00
Sedimentation (complete be-		
mogram)i	******	3.00
Spinal fiuld:		
Scrologic test for syphilis	2.00	3.00
Serologic test for syphilis with		
colloidal gold	00.2	69.0
Body fluids and exerctions:		
Bacterial culture.	2.00	3.00
Bacterial culture with animal		
inoculation	10.00	11.60
Sputum smcar	2.00	3.00
Blood culture	19.00	11.60
Autogenous veccines	10.00	11,00
Chemical and microscopie gas-		l
tric analyses 2	2.00	3.00
Chemical and microscopiofeses		
	2.00	3.00
Sputum—Pneumeesee's typ-		
ing	3.60	4.00
Routine smears	2.00	3.00
YY-f (Y-4In-ala) 1		200
Microscopie tissue diagnoses	5.00-15.00	Add Loo
Basal metabalism test	3.00	6.00
Electrocardlegram	3.00	63.5 I
THE CHARTER TO STATE OF THE PARTY OF THE PAR	ادما	1 665

Nore: For any examination not listed, a reasonable price will be set, using the above table as a guide.

I Tests routinely performed by interno on haspitalized

patients.

No charge when performed by interne. When deno
by central laboratory, charge as listed.

In cases involving long term hospitalization and in which the patient, or his responsible representative, is found upon due investigation to be unable to pay for care for the full time on the basis determined at the time of admission in accordance with the schedule herein shown, a reduced schedule of payments shall be arranged by and in the discretion of the Superintendent. In such cases, however, the reduced rates shall not go into effect until after the first 14 days of hospitalization. The findings and recommendations including an effective date in each case shall be promptly presented in writing to the Superintendent for his consideration and decision.

The Federal Security Agency Administrator, however, reserves the right to increase or decrease the above-mentioned rates generally ordin particular cases.

In the computation of the time for payment in each and every case, the day of admission into the hospital will be counted and the day of discharge therefrom excluded; payments to be made in weekly advances, except in those cases where patients enter the hospital for a definite number of days less than a week, in which case payments in advance for the number of days the patient expects to remain at the hospital will be received. Money received from this source will be deposited in the Treasury weekly.

No officer or employee of the hospital shall receive and retain for his personal use any fee collected from pay patients. (Par. 7, as amended March 31, 1943)

(Sec. 1, 37. Stat. 172; D. C. Code, Sec. 32-318)

Dated: March 19, 1943.

THOMAS PARRAM. [SEAL]

Surgeon General.

Approved: March 31, 1943. WATSON B. MILLER.

Acting Administrator.

[P. R. Doc. 43-15954; Filed, September 30, 1943; 11:03 a. m.

### TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A-General Rules and Regulations

PART 95-CAR SERVICE [Service Order 156]

USE OF REFRIGERATOR CARS FOR CANNED GOODS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of September, A. D. 1943.

It appearing, that the movement of canned goods in refrigerator cars diminishes the use of such cars for the movement of more perishable freight; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of refrigerator cars: It is ordered, That:

§ 95.321 Use of refrigerator cars for canned goods. (a) On and after 12:01 a. m., October 1, 1943, and until November 15, 1943, common carriers by railroad subject to the Interstate Commerce Act shall not transport canned goods in refrigerator cars without a permit issued by the Agent of the Interstate Commerce Commission named in paragraph (b). The operation of all tariffs providing for the use of refrigerator cars for the transportation of canned goods prior to November 15, 1943, is hereby suspended: *Provided*, That this order shall not prohibit the shipment of canned goods in refrigerator cars moving in westbound transcontinental traffic to points in the States of California, Idaho, Arizona, Nevada, or Utah or westbound shipments in carloads originating at points in the State of Utah and destined to points in the States of California or Nevada, under Service Order No. 104, as amended; but shall prohibit, except by permit, the shipment of canned goods in giant refrigerator cars as provided in Service Order No. 93, or any amendment thereof.

(b) Special and general permits. The provisions of this order shall be subject to any special or general permits to be issued by Robert B. Hoffman, Manager, Refrigerator Car Section, Car Service Division, Association of American Railroads, 59 East Van Buren Street, Chicago, Illinois, as agent of the Interstate Commerce Commission; and Robert B. Hoffman is hereby appointed as agent of the Interstate Commerce Commission, and authorized to issue permits for the movement of canned goods in refrigerator cars prior to November 15, 1943, under exceptional circumstances or when weather conditions require the use of refrigerator cars.

(c) Announcement of suspension. Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4,

54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.
[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-16020; Filed, October 1, 1943; 11:33 a. m.]

Subchapter B—Carriers by Motor Vehicle [Emergency Order M-3]

PART 215—EMERGENCY OPERATING AUTHORITIES

OPERATIONS OVER MOST DIRECT ROUTE

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 24th day of September, A. D. 1943.

It appearing, that there exists an urgent need to expedite the transportation and delivery of war materials and other freight, and that in the public interest during continuance of existing conditions common carriers of property by motor vehicle, in interstate or foreign commerce, lawfully engaged in operations over specified regular routes should be authorized under certain conditions to operate over the most direct highway routes between points at which they may lawfully render service:

It is ordered, Under authority of section 204 (f), Interstate Commerce Act, that

Sec

215.1 Operations over most direct highway route when regular route is less than 110 percent thereof.

215.2 Operations over most direct highway route authorized for movement of empty equipment between authorized routes.

215.3 Adequate service and compliance with provisions of Interstate Commerce
Act and rules and regulations prescribed thereunder required.

215.4 Period of applicability.

AUTHORITY: §§ 215.1 to 215.4, inclusive, issued under sec. 101, 56 Stat. 176; 49 U.S.C. 304 (f).

§ 215.1 Operations over most direct highway route when regular route is less

than 110 percent thereof. Upon compliance with rules and regulations prescribed under section 215 of the Interstate Commerce Act (Part 174), each common carrier of property by motor vehicle, in interstate or foreign commerce, engaged in operations over a specified regular route or specified regular routes is hereby authorized to operate over the most direct available highway route between any two points, at which service may be lawfully rendered by such carrier, between which the distance over any specified regular route over which such carrier may lawfully operate is less than 110 percent of the distance over such direct available highway route, subject to the condition that the carrier shall give notice by a letter to the Commission (a copy of which shall be served on every known motor carrier with authority to operate over such most direct available route) of its intention to use such route, completely identifying the route to be used and stating:

(a) That the carrier will continue to furnish reasonable and adequate service to points on its routes which it is now authorized to serve, and

(b) That a copy of its letter has been served on all known motor carriers operating over such most direct available route.

§ 215.2 Operations over most direct available highway for movement of empty equipment. Upon compliance with rules and regulations prescribed under section 215 of the Interstate Commerce Act (Part 174), each common carrier of property by motor vehicle, in interstate or foreign commerce, engaged in operations over specified regular routes, is hereby authorized to move empty equipment over the most direct available highway between any two routes over which service may be lawfully rendered by such carrier.

§ 215.3 Adequate service and compliance with provisions of Interstate Commerce Act and rules and regulations prescribed thereunder required. The provisions of §§ 215.1 and 215.2 shall not relieve any common carrier by motor vehicle from the duty of furnishing adequate service at all points at which it may lawfully render service, or from the duty of complying with applicable provisions of the Interstate Commerce Act and rules and regulations prescribed thereunder. Any effective tariff filed with this Commission which restricts the application of rates of any carrier affected by this part to designated highways or routes shall be amended by supplement to provide for the application of said rates over the most direct highway routes, and all such supplements shall be filed with the Commission and posted in the manner required by law.

§ 215.4 'Period of applicability. This order shall become effective October 1, 1943, and shall remain in effect only until December 31, 1944, or such earlier time as the Commission by order may hereafter designate.

And it is further ordered, That notice of this order be given to the general public by depositing a copy hereof in the

Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 5.
[SEAR] W. P. BARD

W. P. BARTEL, Secretary.

[F. R. Doc. 43-16021; Filed, October 1, 1943; '11:33 a. m.]

#### Chapter II—Office of Defense Transportation

[Administrative Order ODT 1, Amdt. 7]

PART 503-ADMINISTRATION

DELEGATIONS OF AUTHORITY; DIVISION OF LOCAL TRANSPORT

Pursuant to Executive Orders 8989, 9156, 9214, and 9294, subparagraph numbered (17) of paragraph (a) of \$503.3 of Administrative Order ODT 1, as amended, (8 F.R. 6001, 7285, 7603, 9034, 9571, 9631, 9887) is hereby amended to read as follows:

§ 503.3 Division of Local Transport.
(a) \* \* \*

(17) The authority conferred by this paragraph (a) may be exercised by such Director through such members of the staff of the Office of Defense Transportation as he may designate.

This Amendment 7 to Administrative Order ODT 1 shall become effective on October 1, 1943.

(E.O. 8989, 9156, 8214, 9294; 6 F.R. 6725, 7 F.R. 3349, 6097, 8 F.R. 221)

Issued at Washington, D. C., this 1st day of October 1943.

C. D. Yound, Deputy Director, Office of Defense Transportation. [F. R. Doc. 43–16003; Filed, October 1, 1948;

### Notices

11:20 a. m.1

#### TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1943 Dept. Circ. 722]

2¼ PERCENT MUTUAL MORTGAGE INSUR-ANCE FUND DEBENTURES, SERIES B

NOTICE OF TENTH CALL FOR PARTIAL RE-DEMPTION, BEFORE MATURITY, OF 2% PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

SEPTEMBER 30, 1943.

The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on January 1, 1944, on which date interest on such debentures shall cease:

*	Serial numbers
	(all numbers
Denomination:	inclusive)
\$50	1,512 to 1,542
\$100	5,555 to 5,709
\$500	1,770 to 1,805
\$1,000	6,758 to 6,917
\$5,000	486 to 507
\$10,000	50 to 55

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after October 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1943, and provision will be made for the payment of final interest due January 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from October 1 to December 31, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

# TRANSACTIONS IN TENTH-CALLED DEBENTURES

1. The debentures included in the foregoing notice of call for partial redemption on January 1, 1944, are hereby designated tenth-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, and are hereinafter referred to as tenth-called debentures.

2. Transfers and denominational exchanges in tenth-called debentures will terminate at the close of business on September 30, 1943.

#### REDEMPTION OR PURCHASE

1. Holders of tenth-called debentures will be entitled to have such debentures redeemed and paid at par on January 1, 1944, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on tenth-called debentures will cease on January 1, 1944.

2. Holders of tenth-called debentures have the privilege of presenting such debentures at any time from October 1 to December 31, 1943, inclusive, for purchase at par and accrued interest, at the rate of \$0.074728 per \$1,000 per day from July 1, 1943, to date of purchase.

# RULES AND REGULATIONS GOVERNING REDEMPTION AND PURCHASE

1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of tenth-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of tenth-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far

as applicable, except as otherwise provided herein.

2. Tenth-called debentures presented for redemption on January 1, 1944, or for purchase from October 1 to December 31. 1943, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be pre-sented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form PD 1894 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on January 1, 1944, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of \_\_\_\_\_," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any tenth-called debentures, whether purchased prior to or redeemed on or after January 1, 1944, will be paid with the principal in accordance with the assignment on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. A tenth-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after January 1, 1944, upon an appropriate assignment for that purpose exe-

cuted on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarly be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior-to January 1, 1944, and in case of assignments for redemption on or after January 1, 1944 for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of tenth-called debantures on January 1, 1944, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before December 1, 1943. Such early presentation by holders will insure prompt payment of principal and interest when due.

#### GENERAL PROVISIONS

1. Any further information which may be desired regarding the redemption of tenth-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of tenth-called debentures.

[SEAL] D. W. Bell,
Acting Secretary of the Treasury.

[F. R. Doc. 43-16018; Filed, October 1, 1943; 11:42 a. m.]

#### [1943 Dept. Circ. 723]

2% PERCENT MUTUAL MORTGAGE INSUR-ANCE FUND DEBENTURES, SERIES E

NOTICE OF CALL FOR PARTIAL REDELIPTION, BEFORE MATURITY, OF 23/4 PERCENT MU-TUAL MORTGAGE INSURANCE FUND DEBEN-TURES, SERIES E

SEPTEMBER 30, 1943.

The Federal Housing Commissioner, with the approval of the Secretary of

Filed with the original document.

the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 23/4 percent Mutual Mortgage Insurance Fund Debentures, Series E:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2% percent Mutual Mortgage Insurance Fund debentures, Series E, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on January 1, 1944, on which date interest on such debentures shall

	Serial numb	
Denomination:	(all numbers inclusiv	e)
850	1 to	15
8100	1 to	66
8500	1_to	16
81.000	1 to	78
85,000	1 to	4
		1

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury. No transfers or denominational exchanges

in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after October 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1943, and provision will be made for the payment of final interest due January 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing

Administration hereby offers to purchase any debentures included in this call at any time from October 1 to December 31, 1943, inclusive, at par and accrued interest, to date of

purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

#### TRANSACTIONS IN CALLED DEBENTURES

1. The debentures included in the foregoing notice of call for partial redemption on January 1, 1944, are hereby designated called 234 percent Mutual Mortgage Insurance Fund debentures, Series E, and are hereinafter referred to as called debentures.

2. Transfers and denominational exchanges in called debentures will terminate at the close of business on September 30, 1943.

### REDEMPTION OR PURCHASE

- 1. Holders of called debentures will be entitled to have such debentures re-deemed and paid at par on January 1, 1944, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on called debentures will cease on January
- 2. Holders of called debentures have the privilege of presenting such debentures at any time from October 1 to December 31, 1943, inclusive, for purchase at par and accrued interest, at the rate of \$0.074728 per \$1,000 per day from July 1, 1943, to date of purchase.

#### RULES AND REGULATIONS GOVERNING REDEMPTION AND PURCHASE

- 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.
- 2. Called debentures presented for redemption on January 1, 1944, or for purchase from October 1 to December 31, 1943, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form The deben-PD 1895 attached hereto.1) tures must be delivered at the expenseand risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the
- debentures when surrendered. 3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on January 1, 1944, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of\_\_\_ address of the person to whom payment

is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any called debentures, whether purchased prior to or redeemed on or after January 1, 1944, will be paid with the principal in accordance with the assignments on the debentures surrendered.

All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assign-ment\_not made upon the debenture is considered a detached assignment.

7. A called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after January 1, 1944, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to January 1, 1944, and in case of assignments for redemption on or after January 1, 1944, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of called debentures on January 1, 1944, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before December 1, 1943. Such early presentation by holders will insure prompt payment of principal and inter-

est when due.

#### GENERAL PROVISIONS

- 1. Any further information which may be desired regarding the redemption of called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.
- 2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and

Filed with the original document.

amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of called debentures.

[SEAL] D. W. BELL, Acting Secretary of the Treasury.

[F. R. Doc. 43-16019; Filed, October 1, 1943; 11:42 a. m.]

### DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

COLORADO RIVER STORAGE PROJECT AND Yuma Project

REVOCATION OF FIRST FORM WITHDRAWAL

AUGUST 25, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Colorado River Storage project and the Yuma project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of April 2, 1909 and June 4, 1930, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the · lands hereinafter listed be revoked: Provided, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands here-

· inafter listed.

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 10 S., R. 14 E., Sec. 20, N%NEW, SE%NEW. Respectfully,

> H. W. BASHORE. Commissioner.

I concur: September 9, 1943. JOEL DAVID WOLFSOHN, Acting Commissioner of the . General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

> MICHAEL W. STRAUS, First Assistant Secretary.

SEPTEMBER 18, 1943.

[F. R. Doc. 43-15970; Filed, October 1, 1943; 9:54 a. m.]

NEWLANDS PROJECT

REVOCATION OF FIRST FORM WITHDRAWAL

SEPTEMBER 3, 1943.

The Secretary of the Interior.

SIR: From recent investigations in connection with the Newlands Project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June

No. 196---6

17, 1902 (32 Stat. 388) by Departmental order of July 9, 1904, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: Provided, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

#### NEWLANDS PROJECT

MOUNT DIABLO MERIDIAN, NEVADA

T. 19 N., R. 22 E. Sec. 6, Lots 1, 6, SEMNEM, NEMSWM. Respectfully.

> H. W. BASHORE, Commissioner.

I concur: September 8, 1943.

JOEL DAVID WOLFSOHN, Acting Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accord-

> MICHAEL W. STRAUS, First Assistant Secretary.

SEPTEMBER 17, 1943.

[F. R. Doc. 43-15971; Filed, October 1, 1943; 9:54 a. m.]

#### DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration. [Administrative Order 774]

## Allocation of Funds for Losiis

SEPTEMBER 20, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
California 4027B1 Humboldt	8200,000
Iowa 4077A2 Davis	25,000
Minnesota 4039C3 Chippawa	59,000
Montana 4009E2 Yellowstone	15,000

William J. Neal. Acting Administrator.

[F. R. Doc. 43-15938; Filed, September 30, 1943; 12:16 p. m.]

[Administrative Order 775] ALLOCATION OF FUNDS FOR LOANS

September 20, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Indiana 4052D1 Ripley	\$294,000
New Mexico 4011A1 Taos	
New Mexico 4011G1 Taos	72,000
Texas 4048D1 Hidalgo	60,000

WILLIAM J. NEAL. Acting Administrator.

[F. R. Doc. 43-15939; Filed, September 20, 1943; 12:16 p. m.]

#### [Administrative Order 776]

#### ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 20, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation: Amount South Carolina 4043S3 York\_ .\_ \$5,500 5,000 Texas 408784 Karnes\_

> William J. Neal, Acting Administrator.

[F. R. Doc. 43-15937; Filed, September 30, 1943; 12:16 p. m.]

### [Administrative Order 777] ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 23, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Iowa 4018A2 Wright	. \$5,173
Iowa 4053C2 Linn	40,000
Iowa 4079A3 Clarke	25,000
Minnecota 4018E2 Douglas	100,000
Minnesota 4057D2 Ottertail	93,000
South Dakota 4003C2 Clay	. 22,000
Vermont 4010B2 Windham	5,000

WILLIAM J. NEAL, Acting Administrator.

[F. R. Doz. 43-15936; Filed, September 30, 1943; 12:16 p. m.]

### FEDERAL POWER COMMISSION.

[Docket No. IT-5854]

THE EASTERN SHORE PUBLIC SERVICE COMPANY OF MARYLAND

NOTICE OF APPLICATION

SEPTEMBER 28, 1943.

Notice is hereby given that on September 24, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by The Eastern Shore Public Service Company of Maryland, a corporation organized under the laws of the State of Maryland and doing business in said State, with its principal business office at Salisbury, Maryland, seeking an order authorizing the acquisition, by merger,

of all the assets, and assume all the liabilities of the Maryland Light and Power Company, a corporation organized under the laws of the State of Maryland and doing business in said State, with its principal business office at Salisbury, Maryland. This step, the application states, is part of and incidental to a program looking toward a more economical operation of the properties and business heretofore carried on by The Eastern Shore Public Service Company of Maryland and the Maryland Light and Power Company, respectively, and the refinancing of said properties and business; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 16th day of October, 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 43-15972; Filed, October 1, 1943; 9;54 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 111 Under Service Order 133]

COMMON CARRIERS BY RAILROAD :

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133, of June 19, 1943, as amended (8 F.R. 9728-29, 10941-42, 8 F.R. 11389; 8 F.R. 12100; 8 F.R. 12350), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice at St. Louis, Missouri, but not to exceed four tons, ART 21993 containing cauliflower consigned Fruit Supply Company, St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of September 1943.

Homer C. King, Director, Bureau of Service.

[F. R. Doc. 43-16023; Filed, October 1, 1943; 11:33 a. m.]

COMMON CARRIERS OF PROPERTY
OPERATIONS OVER MOST DIRECT ROUTE
SEPTEMBER 24, 1943.

During the past year the Commission has acted on various applications for temporary authority filed by carriers of property who desired to operate their vehicles over routes shorter than those specified in their certificates or claimed in pending "grandfather" applications. The Commission is of the opinion that in the public interest carriers now authorized to operate over routes which are less than 110 percent of the most direct available route should be allowed to use the latter route. In such cases the resultant economy in operations from a public point of view outweighs any competitive disadvantage which might be suffered by those carriers with authority to serve the same points over the most direct route.

There also exist circumstances where a carrier is required to have equipment at a point located on one of its authorized routes. The necessary equipment may be available at a point on another of its routes and to move it to the point where it is needed may necessitate traversing the entire distance of both routes. To obviate this the Commission believes that carriers generally should be allowed to operate over the most direct available highway between their authorized routes for the movement of empty equipment.

The Commission, division 5, by virtue of the authority conferred on it by the Second War Powers Act, 1942, therefore has issued an order effective October 1, 1943, and expiring December 31, 1944, unless otherwise ordered, authorizing common carriers of property by motor vehicle, in interstate or foreign commerce, lawfully engaged in operations over specified regular routes, to operate, subject to the conditions stated therein, over the most direct routes as follows:

Where a common carrier of property may lawfully render service between any two points over a specified regular route over which the distance is less than 110 percent of the distance over the most direct available highway route, such carrier when furnishing the authorized service may utilize the most direct available route.

A common carrier of property operating over specified regular routes may move empty equipment over the most direct available highway between any of its routes which may be lawfully served.

This order will eliminate the work and expense attending the filing and consideration of applications for temporary authority in circumstances such as here contemplated.

The Commission desires to stress that the order deals only with routes which may be used by regular route common carriers of property. It does not authorize service by any carrier at any point at which such carrier does not now lawfully render service; nor does the order relieve any carrier from the duty of furnishing adequate service at all points which it is authorized to serve, or from the duty of complying with applicable provisions of the Interstate Commerce Act and rules and regulations prescribed thereunder. Strict compliance with the rules and regulations will be required. Any effective tariff which restricts the application of rates of any carrier affected by the order to designate highways or routes must be amended by appropriate supplement filed with the Commission and posted in the manner required by law.

There may be circumstances where the public interest requires that carriers, operating over routes 110 percent (or in excess thereof) of the most direct available route, be authorized to use the latter route. These cases, however, because of the competitive situation, require individual consideration, and carriers seeking such authority should make application under section 204 (f) of the Interstate Commerce Act, in the same manner and form now used in connection with applications for temporary authority.

[SEAL]

W. P. Bartel, Secretary.

[F. R. Doc. 43–16022; Filed, October 1, 1948; 11:33 a. m.]

# OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2213]

Estate of Henry C. Husteden

In re: Estate of Henry C. Husteden, deceased; File F-28-8135; E. T. sec. 5524.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodion after investigation,

Finding that-

(1) The property and interests heroinafter described are property which is in the process of administration by Fred H. Grosselfinger, Esquire, as Executor, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Nassau County:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Meta Schmitt, Germany.
The heirs of Meta Schmitt, whose names are unknown, Germany.
Else Thomas, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Allen Property Custodian hereby yests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Meta Schmitt, The heirs of Meta Schmitt, whose names are unknown, and Else Thomas, and each of them, in and to the estate of Henry C. Husteden, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts, pending further determination of the

<sup>&</sup>lt;sup>1</sup> Supra, Title 49.

Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order. .

Dated: September 20, 1943.

LEO T. CROWLEY, [SEAL] Alien Property Custodian.

[F. R. Doc. 43-15978; Filed, October 1, 1943; 10:36 a. m.]

#### [Vesting Order 2214]

MORTGAGE PARTICIPATION FUND OF IN-TEGRITY TRUST CO.

In re: Mortgage participation fund of Integrity Trust Company; File F-28-2273; E. T. sec. 2964; F-28-2275; E. T. sec. 2966; F-28-2274; E. T. sec. 2965; F-28-17722; E. T. sec. 3994; F-38-6079; E. T. sec. 3555; F-28-17711; E. T. sec. 3636; D-28-2479; E. T. sec. 3699; D-28-2480; E. T. sec. 3700; D-28-2264; E. T. sec. 3053.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, Substituted Trustee, act-ing under the judicial supervision of the Court of Common Pleas, Philadelphia County, Pennsylvania,

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, and a designated enemy country, Germany,

Nationals and Last Known Address

Johann Kehren, Germany. Adolph Kehren, Germany. Franz Kehren, Germany. Karl Philip Ludwig Gerhardt, Germany. Elvira Talfuri, Italy. George Truck, Germany. Joseph Schabet, Germany. Anton Schabet, Germany. Katherine Kiefer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States regulres that such persons be treated as nationals of a designated enemy country, Italy, and a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Allen Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatcoever of Johann Kind of character whatsover of Johann Kehren, Adolph Kehren, Franz Kehren, Karl Philip Ludwig Gerhardt, Elvira Talfuri, George Truck, Joseph Schabet, Anton Schabet and Katherine Kiefer and each of them in and to the Mortgage Participation Fund of the Integrity Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Dco. 43-15979; Filed, October 1, 1943; 10:36 a. m.]

### [Vesting Order 2215]

#### ESTATE OF BETTY W. KAUFMANN

In re: Estate of Betty W. Kaulmann, deceased; File D-28-3985; E. T. sec. 6902.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by The Union Trust Com-pany of Pittsburgh, 439 Fifth Avenue, Pitts-burgh, Pennsylvania; Edgar J. Kaufmann, Kaufmann Department Stores, Pittsburgh, Pennsylvania; and Captain Oliver M. Kauf-mann, U. S. A., Kaufmann Department Stores, Pittsburgh, Pennsylvania, Co-executors, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mr. Jacob Lonnerstadter, Germany. Mrs. Jacob Lonnerstadter, Germany. Herman Adler, Germany. Jetchen Adler, Germany. Mrs. Bertha Seelegberg, Germany. Carrie Odenheimer, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons he treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mr. Jacob Lonnerstadter, Mrs. Jacob Lonnerstadter, Herman Adler, Jetchen Adler, Mrs. Bertha Scelegberg, and Carrie Odenheimer, and each of them, in and to the estate of Betty W. Kaufmann, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts. pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property. Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-15930; Filed, October 1, 1943; 10:36 a. m.]

### [Vesting Order 2216]

TRUST UNDER THE WILL OF MARIA KNAEPPLE

In re: Trust under the will of Maria Knaepple, deceased; File D-6-172; E. T. sec. 3820.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Richter, trustee of the estate of Maria Knaepple, deceased, acting under the judicial supervision of the Surrogate's Court, Rockland County, New York

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, namely Germany,

National and Last Known Address

August Grabher, Germany,

And determining that-

If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of August Grabher, in and to the trust under the will of Maria Knaepple, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

**ESEAL** LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 43-15981; Filed, October 1, 1943; 10:36 a.m.]

[Vesting Order 2217] .

TRUSTS UNDER WILL OF DAVID LEAVITT

In re: Trusts under the will of David Leavitt, deceased; File No. D-28-2529; E. T. sec. 5169.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of New York, Successor-trustee, acting under the judicial supervision of the Supreme Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helen H. von Stralenheim, Germany, Marie von Gersdorff, Germany. Ivi Grafin von Metzsch-Reichenbach, Ger-

Gisella von Stralenheim, Germany.

Children and children of deceased chil-dren of Helen H. von Stralenheim, names unknown, Germany.

Josephine von Arnim, Germany. Max Arndt von Arnim, Germany. Curt David von Arnim-Kitzscher, Germany.

Clara Mary Emma von Biel, Germany, Children and children of deceased children of Josephine von Afnim, names unknown, Germany.

Louise von Trutzschler zum Falkenstein,

Germany.
Therese Emma Louise von Bodenhausen, Germany.

Irmgard Grafin zu Munster-Ledenburg, Germany.
Hans Erik von Trutzschler zum Falken-

stein, Germany. Children and children of deceased children

of Louise von Trutzschler zum Falkenstein, names unknown, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helen H. von Stralenheim, Marie von Gersdorff, Ivi Graffin von Metzsch-Reichenbach, Gisella yon Stralenheim, Children and children of deceased children of Helen H. von Stralenheim, names unknown, Josephine von Arnim, Max Arndt von Arnim, Curt David von Arnim-Kitzscher, Clara Mary Emma von Biel, Children and children of deceased children of Josephine von Arnim, names unknown, Louise von Trutzschler zum Falkenstein, Therese Emma Louise von Bodenhausen, Irmgard Grafin zu Munster-Ledenburg, Hans Erik von Trutzschler zum Falkenstein, and Children and children of deceased children of Louise von Trutzschler zum Falkenstein, names unknown, and each of them, in and to the trusts under the will of David Leavitt,

\_to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-15982; Filed, October 1, 1943; 10:36 a. m.1

### [Vesting Order 2218]

Trust Under Will of Clarence M. Liebig

In re: Trust under the will of Clarence M. Liebig, deceased; File D-66-670; E. T. sec. 3725.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Safe Deposit and Trust Company of Baltimore, Maryland, Trustee, acting under the judicial supervision of the Circuit Court of Baltimore City, Maryland:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Liebig, Germany.' Richard Liebig, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Liebig and Richard Liebig, and each of them, in and to the trust estate created under the will of Clarence M. Liebig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

[SEAL] LEO T. CROWLEY,

Alien Property Custodian.

[F. R. Doc. 43-15983; Filed, October 1, 1943; 10:37 a, m.]

[Vesting Order 2219]

ESTATE OF PAUL LUDWIG

In re: Estate of Paul Ludwig, deceased; File F-66-25; E. T. sec. 2012.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Chistopher Steinkamp, Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Emma Ludwig, Germany. Albert Ludwig, Germany. Helene Ludwig, Germany. Clara Wahlen, Germany. Ottilie Schonwiese, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Emma Ludwig, Albert Ludwig, Helene Ludwig, Clara Wahlen, Ottilie Schonwiese, and each of them, in and to the Estate of Paul Ludwig, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-15984; Filed, October 1, 1943; 10:37 a. m.]

[Vesting Order 2220]

ESTATE OF FELICE MARASCO

-In re: Estate of Felice Marasco, deceased; File No. D-38-1241; E. T. sec. 4426.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Allen Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph Pirro, administrator, acting under the judicial supervision of the Surrogate's Court, Onondaga County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Mariantonia Gallo, Italy. Felice Gallo, Italy. Nicholina Callo, Italy. Mario Gallo, Italy.

And determining that—
(3) If such nationals are percons not within a designated enemy country, the national interest of the United States requires that such percons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatcoever of Mariantonia Gallo, Felice Gallo, Nicholina Gallo and Mario Gallo, and each of them, in and to the estate of Felice Maracco, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Allen Property Custodian. This shall not be deemed to limit the powers of the Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be made or such compensation should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[P R. Doc. 43-15935; Filed, October 1, 1943; 10:37 a. m.]

[Vesting Order 2221]

ESTATE OF MADDALENA MARINI

In re: Estate of Maddalena Marini, deceased; File No. D-38-322; E. T. sec. 329.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook, State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely.

Nationals and Last Known Address

Flora Marini, Italy. Fuivio (Fulivio) Marini, Italy. Francesco Marini, Italy.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Flora Marini in the sum of \$262.09, Fulvio (Fulivio) Marini in the sum of \$262.09, and Francesco Marini in the sum of \$524.18, which amounts were deposited with the Treasurer of Cook County, Illinois, on October 21, 1942, pursuant to order of the court of July 15, 1942, to the credit of the aforesaid nationals.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc 48-15986; Filed, October 1, 1943; 10:37 a. m.]

#### [Vesting Order 2222]

ESTATE OF REBECCA SZENTE MESZAROS

In re: Estate of Rebecca Szente Meszaros, deceased; File D-34-84; E. T. sec. 1503.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Cary R. Alburn, 310 Hippodrome Building, Cleveland, Ohio, Administrator, acting under the Judicial supervision of the Probate Court of the State of Ohio, in and for the County of Cuyahoga;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary,

namely.

Nationals and-Last Known Address

Stephen Meszaros, Hungary. Joseph Meszaros, Hungary. Mrs. Joseph Toth, Hungary, Mrs. Paul Forintos, Hungary.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Stephen Meszaros, Joseph Meszaros, Mrs. Joseph Toth and Mrs. Paul Forintos, and each of them, in and to the estate of Rebecca Szente Meszaros, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

LEO T. CROWLEY, [SEAL] Alien Property Custodian.

[F. R. Doc. 43-15987; Filed, October 1, 1943; 10:37 a. m.] -

## [Vesting Order 2223]

#### ESTATE OF JOHN MEYN

In re: Estate of John Meyn, deceased; File D-66-563; E. T. sec. 3664.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process

of administration by The San Francisco Bank, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Mateo:

(2) Such property and interests are payable or deliverable to, or claimed by na-tionals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hinrith Lohse and his surviving issue, Gor-

Frieda Golinske and her surviving issue, Germany.

Amanda Ahrens and her surviving issue, Germany.

Margaretha Meyn and her surviving issue, Germany.

Kathrina Wulf and her surviving issue, Germany. Johan Meyn and his surviving issue, Ger-

many. Claus Meyn and his surviving issue, Ger-

Jacob Meyn and his surviving issue, Ger-

many. Ludwig Schroeder and his surviving issue, Germany

Jacob Schroeder and his surviving issue, Germany.

Hermann Schroeder and his surviving issue, Germany.

Lisbeth Schroeder and her surviving issue, Germany.

Jacob Stahl and his surviving issue, Germany

Maas Stahl and his surviving issue, Gormany.

Claus Stahl and his surviving issue, Germany. Sophia Stahl and her surviving issue, Ger-

many.

Lisbeth Fruechtenicht and her surviving

issue, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hinrith Lohse and his surviving issue, Frieda Golinsko and her surviving issue, Amanda Ahrons and her surviving issue, Margaretha Moyn and her surviving issue, Kathrina Wulf and her surviving issue, Johan Meyn and his surviving issue, Claus Meyn and his surviving issue, Jacob Meyn and his surviving issue, Ludwig Schroeder and his surviving issue, Jacob Schroeder and his surviving issue, Hermann Schroeder and his surviving issue, Lisbeth Schroeder and her surviving issue, Jacob Stahl and his surviving issue, Maas Stahl and his surviving issue, Claus Stahl and his surviving issue, Sophia Stahl and her surviving issue, Lisbeth Fruechtenicht and her surviving issue, and each of them, in and to the Estate of John Meyn, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-15988; Filed, October 1, 1943; 10:38 a. m.]

### [Vesting Order 2224]

### ESTATE OF HERMAN MOELLER

In re: Estate of Herman Moeller, dedeceased, and trust under the will of Herman Moeller, deceased; File D-28-4194; E. T. sec. 7213.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by the United States National Bank, Executor and Trustee, acting under the judicial supervision of the Circuit Court, Multnomah County, Oregon;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Ger-

many, namely,

Nationals and Last Known Address

Lisbette Moller, Germany. Helene Kobligk, Germany. Gertrude Wyszomirski, Germany. Gerda Wyszomirski, Germany. Hilmer Hellwig, Germany.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and . certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lisbette

Moller and Helene Kobligk, and each of them, in and to the estate of Herman Moeller, deceased; and

All right, title, interest and claim of any kind or character whatsoover of Gertrudo Myszomirski, Gerda Wyszomirski and Hilmer Hellwig, and each of them, in and to the trust created under the will of Herman Moeller, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

LEO T. CROWLEY. [SEAL] Alien Property Custodian.

[F.·R. Doc. 43-15989; Filed October 1, 1943; 10:38 a. m.]

#### [Vesting Order 2225]

### ESTATE OF WILLIAM H. PAUL

In re: Estate of William H. Paul, deceased; File D-28-2335; E. T. sec. 3386.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Mercantile Trust Company of Baltimore, Baltimore, Calvert and Redwood Streets, Baltimore, Maryland, Exccutor, acting under the judicial supervision of the Orphans' Court of Baltimere City, State of Maryland; .

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address Frau Elizabeth Mausler, Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frau Elizaboth Mausler in and to the estate of William H. Paul, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-15930; Filed, October 1, 1943; 10:38 a. m.l

#### [Vesting Order 2226]

#### ESTATE OF BERTHA BELLE PICK

In re: Estate of Bertha Belle Pick, deceased; File D-28-6544; E. T. section 5290.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Gity Bank Farmers Trust Company and Hubert E. Rogers, exec-utor, acting under the judicial supervision of the Surrogate's Court, New York County, New York:

(2) Such property and interests are payable or deliverable to, or claimed by, na-tionals of a designated enemy country, Germany, namely,

### Nationals and Last Known Address

Alfred Guldo Bartmann, Germany. Hans Joachim Stadelmann, Germany.

Next of kin, distributess and domiciliary perconal representatives, whose names are unknown, of Arnold Paul Brock, deceased, And determining that—

(3) If such nationals are persons not within a designated enemy country, the na-tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alfred Guldo Bartmann, Hans Joachim Stadelmann and next of kin, distributees and domiciliary personal representatives, whose names are un-known, of Arnold Paul Brock, and each of them, in and to the Estate of Bertha Belle Pick. deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country." as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: September 20, 1943.

LEO T. CROWLEY, [SEAL] Alien Property Custodian.

[F. R. Doc. 43-15991; Filed, October 1, 1943; 10:38 a. m.]

[Vesting Order 337, Amdt.]

STANYAN HILL APARTMENTS

Re: Amendment of Vesting Order Number 337 and Supervisory Order Number 73.

Vesting Order Number 337, and Supervisory Order Number 73, each dated November 6, 1942, are hereby amended as follows and not otherwise:

(a) The words "4 inches" are hereby

added in the 16th line of subparagraph (a) of said Vesting Order Number 337, immediately following the words "of Stanyan Street 62 feet" and in the 19th line of subparagraph (a) of said Vesting Order, immediately following the words
"Northerly 62 feet"; and
(b) The name Sophia Christine Rolfe

as it appears on Exhibit A attached to

said Vesting Order Number 337, and by reference made a part of said Vesting Order and of Supervisory Order Number 73, is hereby changed to "Sophia Christine Rolfs."

All other provisions of said Vesting Order Number 337 and Supervisory Order Number 73 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on September 22, 1943.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-15977; Filed, October 1, 1943; 10:36 a. m.]

OFFICE OF DEFENSE ADMINISTRA-TION. . . . .

[Supplementary Order ODT 3, Revised-69] PENNSYLVANIA TRUCK LINES, INC., ET AL. COORDINATED OPERATIONS BETWEEN POINTS IN ZANESVILLE, OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Pennsylvania Truck Lines, Inc., Lecrone Benedict. Way, Inc. and Eastern Motor Dispatch, Inc., of Co-lumbus, Ohio; Continental Transportation Lines, Inc. of Pittsburgh, Pa., and C. D. Moore of Zanesville, Ohio, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, a copy of which plan is attached hereto as Appendix 1,2 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies. for special permission for such tariffs or

supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-69," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective October 5, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of September 1943.

> C. D. YOUNG, Deputy Director, Office of Defense Transportation.

IF. R. Doc. 43-15919; Filed September 80, 1943; 11:54 a. m.]

[Supplementary Order ODT 3, Revised-70]

GERMANN BROS. MOTOR TRANSPORTATION, ' INC. ET AL.

COORDINATED OPERATIONS BETWEEN POINTS IN WEST VIRGINIA

Upon consideration of a plan for joint action filed with the Office of Defense

<sup>17</sup> F.R. 5445, 6689, 7694; 8 F.R. 4660. Filed as part of the original document.

Transportation by Germann Bros. Motor Transportation, Inc., Ripley, Ohio, Logan Merchants' Service, Inc., Huntington, West Virginia, H. L. Grubb, doing business as Grubb Motor Freight, Huntington, West Virginia, and M. C. Lindamood, doing business as Lindy's Motor Freight, Charleston, West-Virginia, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, a copy of which plan is attached hereto as Appendix 1, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is here-

by ordered, That:

· 1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

- 2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.
- 3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.
- 4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by

this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised 70," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective October 5, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of September 1943.

C. D. Young, Deputy Director, Office of Defense Transportation.

[F. R. Doc. 43-15920; Filed, September 30, 1843; 11:54 a. m.]

[Supplementary Order ODT 3, Reviced-71]
ADAMS TRANSFER & STORAGE CO., ET AL.
COORDINATED OPERATIONS BETWEEN POINTS
IN MISSOURI AND ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Adams Transfer & Storage Co., a corporation, of Kansas City, Missouri, Roadway Express, Inc., a corporation, of Akron, Ohio, Knaus Truck Lines, Inc., a corporation, of Kansas City, Missouri, and Churchill Truck Lines, Inc., a corporation, of Meadville, Missouri, pursuant to \$501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), a copy of which plan is attached hereto as Appendix 1, and It appearing that the carriers pro-

It appearing that the carriers propose, by the plan, to coordinate their operations as common carriers of property by motor vehicle between points in Missouri and Illinois, by suspending the transportation of certain shipments and by diverting traffic in such way as to produce increasing lading and more efficient utilization of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful

prosecution of the war, It is hereby ordered, That:

- 1. The plan for joint action above referred to is hereby approved, and the carriers are directed to put the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.
- 2. Each of the carriers shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.
- 3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.
- 4. The provisions of this order shall not be so construed or applied as to require any carrier named herein to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order. and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.
- 5. All records of the carriers pertaindng to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised—71" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

<sup>&</sup>lt;sup>2</sup>Filed as part of the original document.

<sup>&</sup>lt;sup>1</sup>7 F.R. 5445, 6689, 7694; 8 F.R. 4660.

No. 196---7

This order shall become effective October 5, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of September 1943.

C.D. Young, Deputy Director, Office of Defense Transportation.

[F. R. Doc. 43-15921; Filed, September 30, 1943, 11:54 a. m.]

[Supplementary Order ODT 3, Revised-72]

THE VINCENT TRUCK LINES AND YELLOW TRANSIT CO.

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by The Vincent Truck Lines, Wichita, Kansas, and Yellow Transit Co., Oklahoma City, Oklahoma, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, a copy of which plan is attached hereto as Appendix 1, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in con-

flict therewith.

- 2. Each of the carriers forthwith shall file a copy of this order with the appro- priate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but , not prior to the effective date of this order.
- 3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.
- 4. The provisions of this order shall not be so construed or applied as to re-

quire any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transpor-

tation

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the-plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-72," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective October 5, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of September 1943.

C. D. YOUNG,

Deputy Director,

Office of Defense Transportation.

[F. R. Doc. 43-15922; Filed, September 80, 1943; 11:55 a. m.]

[Special Order ODT. LB-12-1]

Virginia Electric and Power Company, Richmond, Virginia

DIRECTION TO SUSPEND CERTAIN OPERATIONS

Pursuant to Executive Orders 8989, 9156, and 9294, the Act of May 31, 1941, as amended by Title III of the Second War Powers Act, 1942 (56 Stat. 176), and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war, and after being satisfied that the fulfilment of requirements for the defense of the United States will result in a short-

age in the supply of rubber-borne transportation equipment and facilities for defense and for private account, It is hereby ordered. That:

hereby ordered, That:
1. Virginia Electric and Power Company, Richmond, Virginia (hereinafter called "carrier") in the transportation of passengers as a common carrier by bus in the city and suburbs of Norfolk, Virginia, shall not operate buses over:

(a) That section of its bus route described in the appendix hereto and described as route "Chesterfield Heights" from the intersection of Church Street and Main Street, over Main Street to Granby Street, over Granby Street to City Hall Avenue, over City Hall Avenue to Bank Street, over Bank Street to Main Street and over Main Street to its intersection with Church Street;

(b) That section of its bus route described in the appendix hereto and described as route "Masons Creek" from the intersection of 1st View Street and Maple Avenue, over Maple Avenue to Granby Street, over Granby Street to Ocean Avenue, and over Ocean Avenue to its intersection with 1st View Street.

2. The carrier, notwithstanding the provisions of Special Order ODT LB-12, shall operate buses over the following streets in the city and suburbs of Norfolk, Virginia, to wit:

(a) From the intersection of Church Street and Main Street, over Church Street to Plume Street, and over Plume Street to its intersection with Randolph

Street;

(b) From the intersection of Powhatan Avenue and Seward Avenue, over Powhatan Avenue to its intersection with Catalpa Street;

(c) From the intersection of Rugby Street and Chapel Street, over Chapel Street to Tanner Street, over Tanner Street to Ruffin Street, over Ruffin Street to Rugby Street, and over Rugby Street to its intersection with Chapel Street;

(d) Along Admiral Taussig Boulevard, also known as 99th Street, between Gates numbered 2 and 3 of the U. S. Naval

Operating Base;

(e) From the intersection of 1st View Street and Maple Avenue, over 1st View Street to A View Avenue, over A View Avenue to Granby Street, over Granby Street to Balview Avenue, over Balview Avenue to 1st View Street, and over 1st View Street to its intersection with Maple Avenue.

3. As used herein, the term "bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers.

4. The carrier forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or

<sup>&</sup>lt;sup>1</sup>7 F.R. 5445, 6689, 7694; 8 F.R. 4660.

<sup>&</sup>lt;sup>2</sup> Filed as part of the original document.

supplements to become effective on one

day's notice.

5. Communications concerning this order should be addressed to the Regional Director, Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT LB-12-1".

This order shall become effective on October 3, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 30th day of September 1943.

> C. D. YOUNG, Deputy Director, Office of Defense Transportation.

DESCRIBING BUS ROUTES REFERRED TO THEREIN

Route: Chesterfield Heights.

Beginning on City Hall Avenue at Atlantic Street, thence along City Hall Avenue, Bank Street, Main Street, Lake Avenue, Lovitt Avenue, Clay Avenue, Brambleton Avenue, Kimball Terrace, Norchester Road to Westminster Avenue. . Returning along Westminster Avenue, Thayer Street, Kimball Terrace, Brambleton Avenue, Park Avenue, Lovitt Avenue, Lake Avenue, Main Street, Granby Street, City Hall Avenue, to starting point. Route: Masons Creek.

Beginning at Ocean View Station, along

Ocean View Avenue, Granby Street, Balview Avenue, 1st View, Maple Avenue, Phillips, Ridgewell Avenue, 1st View, into Merrimac Park, along Mohitor, Congress Road, Albe-marle Circle, back to 1st View. Returning along 1st View, Ridgewell Avenue, Phillips Street, Maple, 1st View, A View, Duffy's Lane, Ocean View Avenue, to Ocean View Station.

[F. R. Doc. 43-15923; Filed, September 30, 1943; 11:55 a. m.]

### OFFICE OF PRICE ADMINISTRATION.

Order 1 Under RO 191

ANTHRACITE COAL DELIVERIES IN PEAKS ISLAND, MAINE

Applications having been made pursuant to section 9 of Ration Order 19 by A. R. Wright Company and by Randall and McAllister, coal dealers of Portland, Maine, for an exception exempting " from the terms of the order deliveries of anthracite coal to consumers at Peaks Island, Maine, and it appearing that unusual difficulties of transporting coal to that island warrant the granting of the applications:

It is therefore ordered, That:

(a) The provisions of Ration Order 19 shall not apply to deliveries to within Peaks Island, Maine, from within or without Peaks Island, Maine.

(b) Terms used in this order that are defined in Ration Order 19 shall have the meaning given in Ration Order 19.

This order shall be effective immediately.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 69 and 507, 77th Cong., Pub. Law 421, 77th Cong., WPB Directive

No. 1, 7 F.R. 562; Supp. Dir. No. 1-W8 F.R., E.O. 9125, 7 F.R., 2719)

Issued September 30th, 1943.

JOEL DEAN, Director, Fuel Rationing Division.

[F. R. Doc. 43-15963; Filed, September 30, 1943; 4:58 p. m.]

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGU-LATIONS

The following orders were filed with the Division of the Federal Register on September 28, 1943.

Order Number and Name

RPS 67 Order 21, F. H. Ayer Mg. Co. MPR 120, Order 243, Greentown Lime Co. Supp. Order 9, Order 16, Walter Kidde & Co.

The following orders were filed with the Division of the Federal Register on September 29, 1943.

#### Order Number and Name

RPS 41, Order 24, Harmon Foundry Co. RPS 58, as amended, Order 4, United States Commercial Co.

RPS 67, Order 18, Amendment 1, Waltham Machine Works.

RPS 67, Order 22, Reading Machine Co.

RPS 77, Order 6, East Fayette Coal Co. MPR 120, Order 244, B. A. Howard. MPR 120, Order 245, Hartman Coal Co. MPR 120, Order 246, War Eagles Coals, Inc. MPR 134, Order 16, John A. Cooper. MPR 136, as amended, Order 103, Insuline

Corp. of America.

MPR 152, Order 43, Gibton Canning Co.
MPR 152, Order 44, Atlantic Canning Co.
MPR 185, Order 22, California Packing Co.
MPR 185, Order 23, Spencer Packing Co.
MPR 188, Order 714, Registered Arrow Co.
MPR 188, Order 716, Reserve Printing Co.
MPR 188, Order 716, Reserve Printing Co. MPR 188, Order 725, Tennessee Valley Acco-

clates. MPR 188, Order A-2, Order 7, American

Rock Wool Corp.

MPR 246, Order 16, Lynchburg Foundry Co. MPR 377, Order 3, Die Cast Corp.

Copies of these orders may be obtained from the Printing and Distribution Branch of the Office of Price Administration.

ERVIN H. POLLACE, Head, Editorial and Reference Section.

[F. R. Doc. 43-16015; Filed, October 1, 1943; 11:17 a. m.]

LIST OF INDIVIDUAL ORDERS GRANTING AD-JUSTMENTS, ETC., UNDER PRICE REGULA-TIONS

The following orders were filed with the Division of the Federal Register on September 30, 1943.

Order Number and Nama

RMPR 161, Order 32, Camp Creek Timber Co. et al.

MPR 188, Order 728, Mantle Lamp Co. of America.

MPR 225, Order 16, United Wallpaper Factories Inc.

MPR 225, Order 17, Mid-West Wall Paper

Rev. Supp. Order 9, Rev. Order 9, Sierra Tale Co.

Rev. Supp. Order 9, Order 17, Michigan Pipe Co.

Copies of these orders may be obtained from the Printing and Distribution Branch of the Office of Price Administration.

ERVIN H. POLLACK, Head, Editorial and Reference Section.

[F. R. Doc. 43-16014; Filed, October 1, 1943; 11:17 a. m.]

Regional, and District Office Orders. LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on September 29,

#### REGION VI

Twin Cities Order No. 3, Amendment No. 4,

Filed 12:49 p. m. Chicago Order No. 4, Filed 12:46 p. m. Peoria Order No. 6, Filed 12:44 p. m. Peorla Order No. 6, Amendment No. 1, Filed

North Platte Order No. 8, Filed 12:47 p.m. Moline Order No. 10, Filed 12:46 p.m.

#### REGION VII

Denver Order No. 30, Filed 12:49 p. m.

#### REGION VIII

Los Angeles Order No. San Bernardino-1, Amendment No. 4, Filed 12:48 p. m. Los Angeles Order No. Santa Barbara-1,

Amendment No. 2, Filed 12:47 p. m.
Los Angeles Order No. L. A.-4, Amendment

No. 4, Filed 12:48 p. m. San Diego Order No. 4, Amendment No. 4,

Filed 12:48 p. m. Phoenix Order No. 6, Filed 12:53 p. m. Spokane Order No. 9, Filed 12:47 p.m. Spokana Order No. 10, Filed 12:48 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK, Head, Editorial and Reference Section.

[F. R. Doc. 43-16017; Filed, October 1, 1943; 11:17 a. m.]

LIST OF COMMUNITY CERLING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on September 28, 1943.

#### REGION I

Worcester Order No. 5, Amendment No. 1. Filed 12:32 p. m.

Boston Order No. 7, Filed 3:45 p. m. Boston Order No. 8, Filed 3:47 p. m. Boston Order No. 9, Filed 3:46 p. m. Boston Order No. 10, Filed 3:47 p. m.

Philadelphia Order No. 5, Filed 1:27 p. m. Delaware Order No. 6, Filed 1:23 p. m. New York Correction to Order 6, Filed 1:23 p. m.

New York Order No. 6, Amendment No. 1, Filed 1:27 p. m.

Erie Order No. 7, Filed 3:42 p. m. Trenton Order No. 7, Amendment No. 1,

Filed 3:42 p. m.
Harrisburg Order No. 8, Filed 3:42 p. m.
Scranton Order No. 8, Filed 1:25 p. m.
Trenton Order No. 8, Filed 3:44 p. m. Harrisburg Order No. 9, Filed 12:32 p. m. Harrisburg Order No. 10, Filed 3:48 p. m. Albany Order No. 10, Filed 3:43 p. m.-

#### REGION TH

Indianapolis Order No. 4, Amendment No. 2, Filed 1:14 p. m.

Indianapolis Order No. 5, Amendment No.

2, Filed 1:16 p. m.

Cincinnati Order No. 6, Filed 1:30 p. m. Indianapolis Order No. 6, Amendment No.

2, Filed 1:16 p. m. Indianapolis Order No. 7, Amendment No.

1, Filed 1.17 p. m.

Indianapolis Order No. 8, Amendment No.

1, Filed 1:17 p. m.

Indianapolis Order No. 9, Amendment No. 1, Filed 1:19 p. m.

Indianapolis Order No. 10, Amendment No.

1, Filed 1:29 p. m.

Indianapolis Order No. 10, Amendment No.

2, Filed 1:29 p. m.

Lexington Order No. 11, Filed 3:44 p. m. Charleston Order No. 15, Amendment No. 1, Filed 12:33 p. m.

Charleston Order No. 16, Amendment No. 1, Filed 1:19 p. m.

Charleston Order No. 18, Amendment No.

1, Filed 12:33 p. m. Charleston Order No. 19, Filed 12:34 p. m.

REGION IV Knoxville Revocation of Order No. 6, Filed 12:32 p. m.

Memphis Order No. 6, Amendment No. 1,

Filed 12:30 p. m. Jackson Order No. 6, Amendment No. 1, Filed 12:30 p. m.

Jackson Order No. 6, Amendment No. 2, Filed 12:30 p. m.

Jackson Order No. 7, Filed 12:30 p. m. Knoxville Revocation of Order No. 7, Filed 12:32 p. m.

Memphis Order No. 8, As Amended, Filed 12:29 p. m.

Raleigh Order No. 8, Filed 12:29 p. m. S. Carolina Order No. 8, As Amended, Filed 12:31 p. m.

Nashville Order No. 9, Filed 12:29 p. m. Jacksonville Order No. 10, Amendment No.

1, Filed 12:31 p. m. Jacksonville Order No. 11, Filed 12:33 p. m. Jacksonville Order No. 11, Amendment No.

1, Filed 12:32 p. m. Montgomery Order No. 11, Amendment No.

1, Filed 3:41 p. m.

#### REGION VI

North Platte Order No. 9, Filed 12:31 p. m. REGION VII

Montana Revised Order No. 18, Filed 1:25

p. m. Montana Revised Order No. 14, Filed 1:23

p. m. Montana Revised Order No. 15, Filed 1:23

p. m. Boise Order No. 16, Filed 3:41 p. m. ° Montana Revised Order No. 16, Filed 1:22

Montana Revised Order No. 17, Filed 1:20

p, m. Montana Order No. 22, Filed 1:21 p. m. Montana Order No. 23, Filed 1:41 p. m.

#### REGION VIII

San Francisco Second Revised Order No. 3, As Amended, Filed 1:31 p. m.

Spokane Order No. 8, Filed 1:40 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,

Head, Editorial and Reference Section.

[F. R. Doc. 43-16016; Filed, October 1, 1943; 11:17 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File Nos. 70-684, 54-86]

TWIN STATE GAS AND ELECTRIC CO., ET AL.

### NOTICE OF FILING, ETC.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of September 1943.

In the matter of The Twin State Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation, New England Public Service Company; File No. 70-684; and The Twin State Gas & Electric Company, Central Vermont Public Service Corporation, New England Public Service Company; File No. 54–86.

Notice of filing of amendment and order reconvening hearing and designating new trial examiner; notice of filing and order for hearing on a plan filed pursuant to section 11 (e) and order con-

solidating proceedings.

The Twin State Gas & Electric Company (Twin State), Public Service Company of New Hampshire (New Hampshire), Central Vermont Public Service Corporation (Central Vermont) and New England Service Public Company (Nepsco), the last named being a registered holding company, having on March 10, 1943 flied their joint applications and declarations pursuant to sections 6, 9, 10 and 12 of the Public Utility Holding Company Act of 1935; and

The Commission, by its notice of and order for hearing dated the 5th day of April 1943 (Holding Company Act Release No. 4219), having given notice of the filing of such applications and declarations and having ordered a hearing thereon; and said hearing having been postponed to May 11, 1943 (Holding Company Act Release No. 4246); and the hearings held on May 11, 12 and June 1, 1943 having been continued subject to the call of the Commission;

Notice is hereby given that Twin State. New Hampshire, Central Vermont and Nepsco have filed on September 24, 1943 an amendment (designated as "Amendment No. 2"). to said applications and declarations which changes the nature of the transactions originally proposed as follows:

Applicants and declarants strike from said applications and declarations all action proposed to be taken by Central Vermont and all transactions other than those hereinafter specified. All interested persons are referred to said amendment, which is on file in the office of this Commission, for a statement of the transactions now proposed to be effected, which are summarized as follows:

1. Twin State proposes to sell to New Hampshire and New Hampshire proposes to acquire from Twin State the latter's rights and properties used in and pertaining to its electric and gas business in New Hampshire and its electric business in Maine, together with \$10,000 principal amount of 3% Deferred Debentures due December 1, 1956, and 20 shares of common stock without par value of Nepsco Appliance Finance Corporation, incidental current assets and incidental other securities and real estate (all of which are

hereinafter called the "New Hampshire Properties") for a cash consideration of \$3,040,-361.87 at July 31, 1943 plus not current assets (adjusted for interim transactions to date of

2. Twin State further proposes to use the proceeds from the sale of its "New Hampshire Properties" to redeem its \$2,435,200 outstanding principal amount of First Lien and Refunding Mortgage 5½% Gold Bonds, Series A, dated March 2, 1925 and due March 1, 1946 at the current call price of 101% and, together with available treasury funds, to pay its outstanding bank loans in the amount of \$2,055,250.

3. Twin State further proposes to solicit proxies from the holders of its 7% Prior Lien Stock in connection with the sale of the "New Hampshire Properties" to New Hampshire and the merger of Twin State into Central Vermont contemplated by the plan here-

inafter described.

4. New Hampshire proposes: (a) to issue and sell privately for cash \$900,000 principal amount of its First Mortgage Bonds, Series Λ, 314% due 1937; (b) to issue and sell privately cash at par \$2,500,000 principal amount of ten year unsecured serial notes (interest rates to be supplied by amendment) to mature serially in amounts of \$125,000 semi-annually; and (c) to use the proceeds from the sale of such securities, together with available treasury funds, to purchase the "New Hampshire Properties" of Twin State.

5. New Hampshire further proposes to issue and sell 3,180 shares of its Common Stock, no par value, to Nepsco and Nepsco proposes to acquire said stock from New Hampshire

for \$178,080 (\$56 per share).

6. New Hampshire further proposes to ac-quire from Nepsco and Nepsco proposes to sell to New Hampshire for cash all assets tabulated below at prices indicated opposito each item:

(a) The interest held by Nepsco in 1,000 shares of beneficial interest, no par value, of Swan Falls Company.....(b) 10 shares Common Stock, no par

value, of Nepsco Appliance Finance Corporation (c) \$20,000 principal amount of 3% Deferred Debentures due December 1, 1956 of Nepsco Appliance Finance Corporation (exclusive of accrued in-

20,000

\$150,000

100

terest)\_\_\_\_\_\_(d) 200 shares Common Stock \$100 par value of Nepsco Services, Inc.\_\_\_ (e) \$6,000 principal amount of 5%

2,000

Debentures due August 1956 of Nepsco Services, Inc. (exclusive of accrued interest)\_\_\_\_\_

6,000

Total\_\_\_\_\_ \$178, 100

Notice is further given that an application has been filed with the Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by Twin State, Central Vermont and Nepsco, for approval of a plan, the stated purpose of which is to fairly and equitably distribute voting power among the security holders of Twin State. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of transactions therein proposed which are summarized as follows:

- 1. Twin State and Central Vermont propose to enter into an agreement of merger by which:
- (a) Twin State will be merged into Céntral Vermont, which will continue as the surviving corporation and will acquire and pos-

sess all the remaining rights and properties, and will assume and be subject to all of the remaining liabilities, restrictions and duties of Twin State;

(b) Cash in an amount equal to the call price of \$110 for each of the 24,550 publicly held shares of 7% Prior Lien Stock of Twin State plus an amount equal to all unpaid dividends accrued to the effective date of the merger, will be paid to the holders of such

(c) The entire outstanding 17,929 shares of Common Stock, \$100 par value, of Twin State (owned by Nepsco) will be converted into 141,996 shares of Common Stock, no par value, of Central Vermont.

2. It is proposed that after the transfer by Twin State of its "New Hampshire Properties" to New Hampshire and prior to the merger, Twin State will eliminate from its property accounts the \$2,329,943 classified, as plant adjustment and plant acquisition adjustments applicable to its properties in Vermont and that Central Vermont will eliminate from its property accounts the amount classified as electric plant acquisition adjustments, which at July 31, 1943 was \$2,251,955 and will create a reserve of \$250,-000 against its investment in other physical property. In connection therewith, it is proposed that Nepsco: (a) will make a capital contribution to Twin State by the cancellation of Twin State's obligations to it which, together with accrued interest, aggregated \$326,601.58 at July 31, 1943 and by the surrender of its holdings of all of the outstanding 15,525 shares of 5% Cumulative Preferred Stock of Twin State of the aggregate par value of \$1,552,500; (b) will make a capital contribution to Central Vermont by the surrender of 49,950 shares of Common Stock, no par value, of Central Vermont for the specific purpose of creating a capital surplus in the net amount of \$2,486,487 to be used by Central Vermont for: (i) the write-off forthwith of said electric plant acquisition adjustments now being written off at the rate of \$142,400 per year in accordance with an order of the Federal Power Commission dated January 5, 1943 and, (ii) the creation of a reserve against its investments in other physical property by transfer of the amount then remaining in such capital surplus, together with such amount from earned surplus as may be necessary to make the amount of said reserve \$250,000.

3. It is further proposed that Central Vermont will, prior to the merger: (a) take appropriate steps to increase its authorized Common Stock, no par value, to 500,000 shares; (b) take appropriate steps to amend its by-laws so as to provide than one-third of the shares outstanding and entitled to vote shall constitute a quorum at meetings

of stockholders.

4. It is further proposed that Central Vermont will, after the merger: (a) issue and sell privately for cash \$500,000 principal amount of its First Mortgage 3½% Bonds, Series C, due 1973; (b) issue and sell for cash, to underwriters for resale to the public 195,000 shares of Common Stock, both sales being for the purpose of providing funds for the cash payment referred to in 1 (b) above, to pay its outstanding bank debt in the amount of \$150,000, and to provide working capital; (c) issue and sell to Nepsco for cash 2,954 shares of Common Stock to provide \$48,000 for the purchase from Nepsco of (i) \$40,000 principal amount of 3% Deferred Debentures due December 1, 1956 of Nepsco Appliance Finance Corporation at the price of \$40,000 exclusive of accrued interest; (ii) \$8,000 principal amount of 5% Debentures due August 1, 1956 of Nepsco Services, Inc., at the price of \$8,000 exclusive of accrued interest.

Applicants request exemption from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50, pursuant to paragraph (a) (5) of Rule U-50, with respect to the issuance and sale by Central Vermont of 195,000 shares of its Common Stock

Applicants further request that this Commission approve the plan in accordance with section 11 (e) of the Act but do not now request the Commission to apply to a Court, in accordance with the provisions of sub-section (e) of section 11 (e) and subsection (f) of section 18 of the Act to enforce and carry out the terms and provisions of the plan, if approved by the Commission, but reserve the right to make such request if in their judgment it shall become necessary or desirable to do so to carry out the plan. Applicants further request that an order be issued finding the plan and the several transactions provided for therein necessary or appropriate to effectuate the provisions of section 11 in conformity with the provisions of section 1808 (f) and Supplement R of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect-to said applications and declarations, as amended, and with respect to said plan, and that said applications and declarations, as amended, shall not become effective nor be granted, and said plan shall not be approved except pursuant to the further order of this Commission; and

It further appearing to the Commission that the foregoing matters under File Nos. 70-684 and 54-86 are related to and involve common questions of law and fact; that evidence offered in respect to each of the matters may have a bearing on the other matters; that substantial savings of time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that the evidence adduced in each matter may stand as evidence in the other for all purposes; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearing previously convened under File No. -70-684 should be reconvened for the purpose of completing the evidence with respect to the transactions which are presently proposed in said amendment and for the purpose of considering matters under File No. 54-86; and

It further appearing to the Commission that the Trial Examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so;

It is hereby ordered, That the proceedings herein involved be consolidated for hearing and that the hearing in the above entitled matters be reconvened on October 13, 1943, at 10:00 o'clock a. m. e. w. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such reconvened and consolidated hearings, cause shall be shown why such applications and declarations, as amended, and such plan shall be approved or shall become effective.

It is further ordered, That Charles S. Lobingier, an officer of the Commission, be and hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties

as the Trial Examiner heretofore designated to preside at such hearing.

It is further ordered, That without limiting the scope of the issues presented by these proceedings, particular attention will be directed at the reconvened and consolidated hearing to the consideration of the following matters and questions:

1. Whether the consideration to be paid by New Hampshire and Central Vermont for the properties to be acquired from Twin State is reasonable and whether such acquisitions are in the public interest and in the interest of investors and consumers.

2. Whether all acquisitions proposed meet the requirements of section 10 of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

3. Whether the plan, as filed, or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the

persons affected thereby.

4. Whether the accounting entries to be made in connection with any or all of such proposed transactions are appropriate under the standards and requirements of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

5. Whether the proposed solicitation material is appropriate under the provisions of the Public Utility Holding Company Act of 1935 and whether the declaration with respect thereto should be permitted to become effective.

6. Whether the issuance and sale by New Hampshire and Central Vermont of the aforementioned securities are solely for the purpose of financing the businesses of the Companies.

7. Whether the issuance and sale by New Hampshire and Central Vermont of the aforementioned securities have been expressly authorized by the State Commissions of the States in which the companies are organized and doing business.

8. Whether terms and conditions are appropriate in the public interest or for the protection of investors or consumers or are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any Rules, Regulations or Orders promulgated thereunder.

9. Whether the issuance and sale of shares of Common Stock by Central Vermont should be exempted from the competitive bidding requirements of paragraphs (b) and (e) of Rule U-50 in accordance with paragraph (a) (5) of said Rule.

10. Whether the fees and expenses proposed to be paid in connection with the various transactions are fair and reasonable.

11. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations or Orders promulgated thereunder.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposi-

tion of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve notice of the nature of this order by mailing a copy thereof by registered mail to Northern New England Company, to applicants and declarants, and to the Public Service Commissions of the States of New Hampshire, Vermont and Maine, and that notice shall be given to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard at such reconvened and consolidated hearing or proposing to intervene, shall file with the Secretary of the Commission on or before October 11, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBOIS. Secretary.

[F. R. Doc. 43-15918; Filed, September 30, 1943; 11:37 a. m.]

[File Nos. 54-78, 54-40, 59-40, 54-53, 59-49] CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

#### ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of September, A. D. 1943.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1,. 1932, relating to common stock of Central Public Utility Corporation, File No. 54-53; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said Act; the Commission having by order dated July 19, 1943 consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said Act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corpora-

tion, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, Voting Trustees under a certain voting trust agreement dated August 1, 1932, relating to common stock of said Central Public Utility Corporation (said Trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said Trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said Trustees; and the Commission having by said order of July 19, 1943 set down said consolidated proceedings for hearing at the offices of the Commission in Philadelphia, Pennsylvania, at 10:00 a.m., e. w. t., on August 3, 1943; and the Commission having by orders dated July 28, 1943 and September 3, 1943 postponed said hearing to September 8, 1943 and October 12, 1943, respectively; and

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed for a period of not less than thirty days, stating in such request, among other things, that the company has sold or has under contract of sale the properties of several subsidiaries and is actively éngaged in work looking to other sales of substantial assets, which sales, if consummated, will require material amendments to its application pursuant to section 11 (e) for approval of a plan to comply with section 11 (b); and the Commission deeming it appropriate under the circumstances that the hearing be postponed;

It is ordered. That the hearing in this matter previously scheduled for October 12, 1943, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to November 17. 1943, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person other than parties to said consolidated proceedings desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's Rules of Practice be, and the same hereby is, extended to November 12,

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 48-16024; Filed, October 1, 1943; 11:33 a. m.1

### WAR FOOD ADMINISTRATION.

[Certificate A3]

ALLOCATION AGREEMENT FOR DISTRIBUTION OF FLUID MILK SUPPLIES IN CERTAIN NEW ENGLAND STATES

SEPTEMBER 28, 1943.

The Attorney General:

Pursuant to section 12-of Public Law 603, approved June 11, 1942, section 8 (f) of Executive Order 9280 of December 5, 1942, and Executive Order 9334 of April 19, 1943, I submit to you an agreement between New England milk distributors, in which a representative of the War Food Administration is a party in his official capacity, designed to obtain an equitable distribution of available milk supplies in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. A copy of this agreement is attached and incorporated herein by reference.

I hereby approve this agreement for the purposes of section 12 of Public Law 603, approved June 11, 1942, and, after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person pursuant to such agreement, is requisite to the prosecution of the war.

> MARVIN JONES, War Food Administrator.

ALLOCATION AGREEMENT FOR DISTRIBUTION OF FLUID MILK SUPPLIES IN MAINE, MASSACHU-SETTS, NEW HAMPSHIRE, RHODE ISLAND, AND

Whereas it is the declared policy of the War Food Administration to insure an efficient and equitable distribution of available food supplies; and

Whereas the parties to this agreement are mutually desirous of cooperating and aiding in the objective of obtaining an equitable distribution of the available milk supplies of Massachusetts, New Hampshire, Rhode Island, and Vermont; and

Whereas the supplies of milk in this region may not be sufficient to meet all demands

for fluid milk; and

Whereas it is the purpose of the parties hereto to provide adequate milk supplies to meet all whole milk demands for Federal Government uses and to provide further, to the greatest possible extent, for the milk needed for consumption as fluid milk in this

region;
Now, therefore, the distributors who are signatory parties to this allocation agreement, hereinafter referred to as "participating distributors," agree with each other and with Samuel W. Tator, representative of the War Food Administration, hereinafter referred to as the "WFA Representative," as follows: follows:

1. Definitions. When used in this agreement, the following terms shall have the fol-

ment, the following terms exist and leaving meanings:

(a) "Region" means the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

(b) "Person" means any individual, part-

nership, corporation, association, or any other business entity.

(c) "Distributor" means any person engaged in handling, processing, selling, or delivering Class I milk, except persons oper-ating stores, restaurants, hotels, or similar establishments, in their capacity as such. (d) "Class I milk" means all milk sold,

distributed, or disposed of in the region as fluid milk and as or in chocolate or flavored whole or skim milk, buttermilk, or cultured skim milk, for human consumption.

(e) "Class II milk" means all milk other than Class I milk.

(f) "Basic sales" means the quantity of Class I milk disposed of by a participating distributor, exclusive of sales to, or under the order of, Federal agencies and to other distributors during each calendar week.

(g) "Basic sales quota" means the basic sales of a participating distributor in the calendar week next preceding the first week in which the WFA Representative estimates and announces that available supplies for the subsequent week will be less than 100 percent of the requirements of Class I milk for all participating distributors. In no event, however, shall such basic sales quota exceed any quota which may be in effect pursuant to Food Distribution Order No. 79, in-

cluding amendments or supplements thereto.

(h) "Country plant" means any milk plant at which milk is received directly from producers and which is located more than 40 miles from its primary market for fluid

milk.
(i) "Market plant" means any milk plant which is located not more than 40 miles from

its primary market for fluid milk.

(j) "Director" means the Director of Food Distribution, War Food Administration, or any employee of the United States Department of Agriculture designated by such Director.

(k) "WFA Representative" means the person designated by the Director as the representative of the War Food Administration

for this agreement.

2. Eligibility for participation. Any distributor may become and continue as a participating distributor entitled to the benefits of this agreement by executing an agree-ment identical in form herewith and continuing to perform hereunder. Any dis-tributor who executes this agreement after its effective date shall be entitled to have milk allocated to him commencing with the third calendar week following the date upon which his executed agreement is received by the WFA Representative.

3. Allocation committee. The WFA Representative shall appoint an allocation committee of participating distributors. The duties of the allocation committee shall be to formulate plans in cooperation with the WFA Representative and with other agencies in the transportation and allocation of available milk supplies, to consult with participating distributors and others within the industry, and to make recommendations designed to accomplish the purposes of this agreement.

4. Reports. Each participating distributor shall file reports with the WFA Representa-tive, in the detail and form prescribed by

him, as follows:

(a) Within 5 days after he signs this agree ment the participating distributor shall file a report showing his receipts and disposition of milk in June 1943.

(b) With respect to each calendar week, the participating distributor shall report not later than the following Tuesday his receipts and disposition of milk from all sources for all uses in any market, together with his estimate of such receipts and disposition in the next calendar week following the Tuesday upon which such report is due.

(c) Within five days after a participating distributor enters into a contract to supply milk to an agency of the Federal Government or under the order of such an agency, he shall report to the WFA Representative the name of the agency with whom the contract was made, the contract period, and the quantity of milk to be supplied.

5. Verification. For the purpose of ascertaining the correctness of any report filed by a participating distributor or for the purpose of obtaining the information required in any, revision of a basic sales quota may be re- the celler.

such report which has not been furnished by the distributor, each participating distribu-tor shall permit the WFA Representative or his agent to verify the information contained in reports submitted under this agreement, and to make such examination of records, operations, equipment, and facilities as the WFA Representative deems necessary.

6. Estimates of supply and requirements. On or before each Thursday the WFA Representative will estimate for the next calendar week, on the basis of his best and most recent information, the total supply of milks for all uses which will be received by all participating distributors, the cales to Federal agencies or under the order of Federal agencles which participating distributors are ob-ligated to supply, and the basic cales of all participating distributors. He will at the same time deduct the estimated requirements for sales to Federal agencies or under the order of Federal agencies from the total supply for all uses, and determine and announce the percentage relationship of the remaining supply of milk to the basic sales of all participating distributors.
7. Allocation of supplies. The total supply

of milk which each participating distributor has acquired for all uses shall be considered available to meet the demand for Class I milk before being devoted to other uses. With respect to any calendar week for which the percentage relationship announced by the WFA Representative is 100 or more, he shall direct sales between participating distributors to the extent that he deems neces-

sary in order that-

(a) Each participating distributor shall first have sufficient milk to meet all his requirements for sales to Federal agencies or under the order of Federal agencies and for

basic sales, and, then, that

(b) Each participating distributor shall have milk, to the extent that it is available, first to supply Class I milk to nonparticipating distributors in the region, and eccond to supply milk to distributors outside the

8. Allocation of short supply. With respect to any calendar week for which the percentage relationship anounced by the WFA Representative is less than 100, he shall direct sales of milk between participating distributors to the extent that he deems necessary in order that-

(a) Each participating distributor obligated to supply milk to Federal agencies, or under the order of Federal agencies, chall have sufficient milk; to meet such requirements, and that

(b) Each participating distributor shall have a supply of milk which bears the same relationship to his basic sales quota as the total supply of milk available to all participating distributors for basic sales bears to the total basic sales quotas of all participating distributors.

9. Allocations from market plants. In allocating milk to participating distributors under paragraphs 7 and 8, the WFA Representative, so far as practicable, shall direct sales so that all milk received from producers at market plants will be utilized as Class I milk in the markets usually cerved by such plants.

10. Revision of basic sales quotas. In the event that a participating distributor represents that the use of his basic sales quota in the allocation of short supplies will operate to prevent the equitable distribution of the available milk supplies in the region, the WFA Representative may assign a "re-vised basic sales quota" to such distributor. Upon assignment of such "revised basic sales quota" it shall be used in place of the distributor's basic sales quota in subsequent allocations of short supplies of milk. The WFA Representative's determination on the viewed by the Director on the written re-

quest of any participating distributor.

11. Terms and conditions of sales. All raw, unprocessed, bulk milk sold between participating distributors under paragraphs 7, 8, 12, and 13 chall be subject to the follow-

ing terms and conditions of sale:
(a) Maximum prices for 3.7 percent milk, in buyer's tank car or tank truck, in specified minimum quantities taken daily for a period of not less than six months, shall be as

follows:

(1) At celler's country plant, the zone Class I price to producers under Order No. 4, reg-ulating the handling of milk in the Greater Boston, Massachusetts, marketing area, plus

22 cents per hundredweight;

(2) At celler's market plant supplying the Greater Boston marketing area, \$429 per hundredweight: Provided, That this price shall be increased or decreased to correspond to any change after August I, 1943, in the price for Class I milk received from producers at plants within 40 miles of the State House in Boston, as set forth in Order No. 4, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area; and

(3) At seller's market plant, for milk not subject to Order No. 4, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, the applicable cell-ing price established by the Office of Price Administration for milk purchased from producers, plus 10 cents per hundredweight.

(b) If the celler has one of more country plants, the buyer may elect to take possession of the milk at a country plant. In such event, the celler may designate the particular country plant at which the milk may be

(c) All cales to distributes the take specified minimum quantities daily for take specified minimum quantities daily for (c) All sales to distributors who do not sales," for which the seller may add a differential not to exceed 12 cents per hundredweight.

(d) For each one-tenth of 1 percent average butterfat content above or below 3.7 percent, the seller shall add or deduct the last butterfat differential announced under the provisions of Order No. 4, regulating the handling of milk in the Greater Boston, Maccachusetts, marketing area. (e) The buyer shall accept milk of such

butterfat test as may be available at the celler's plant. If the seller is requested by the buyer to standardize the milk to a specific test and the seller is willing to per-form such standardization, the price for milk may be increased not to exceed 5 cents per hundredweight.

(f) For milk supplied in 40-quart cans at the buyer's request, the seller may add a differential not to exceed 5 cents per

hundredweight.

(g) The buyer shall take possession of the milk at the selling handler's plant, with the buyer furnishing containers for the transportation of the milk unless other arrangements to furnish containers are made, which are satisfactory to the seller. The celler may, but shall not be required to, furnish the necessary containers, in which event the price may be increased 3 cents per hundredweight.

(h) The buyer shall take the milk at such approximate time each day as is specified

by the celler.

(i) The buyer shall give reasonable notice to the celler as to the quantity of milk needed and the dates upon which it will be needed. If the notice is limited to less than 7 days, the buyer shall make available to the seller an equivalent quantity of butterfat in the form of 40 percent bottling quality cream, if it is possible for him to do so and if he is requested to do so by

(j) The seller shall have the option of receiving cash upon receipt of the milk.

(k) Milk shall be available on these terms and conditions to participating distributors who do not possess otherwise a quantity of milk reasonably necessary to enable them to meet their immediate fluid milk requirements.

12. Agreement to sell milk. Each participating distributor shall make such inter-distributor sales as the WFA Representative directs him to make.

13. Agreement to accept milk. Each participating distributor shall accept all milk allocated to him unless relieved of such responsibility by the WFA Representative: Provided, That a participating distributor shall not be obligated to accept milk which does not meet the requirements, for resale as fluid milk, of the board of health in the market in which it is to be distributed.

14. Equitable distribution. Each participating distributor shall make an equitable distribution of the milk included in his basic sales, taking into consideration the persons and types of outlets supplied. He shall not favor purchasers who buy other products from him.

15. Limitation of effect. The signatories hereto join in the foregoing solely to effectuate the purposes stated in the premises hereof, and wholly without prejudice to anyone with respect to any claim or position he might take in any hearing on the provisions of Order No. 4, regulating the handling of milk in the Greater Boston marketing area, or of any other order or regulation, or

in hearings on administrative relief or actions in the court. This agreement shall be effective in the absence of maximum prices which may be established by the Office of Price Administration for sales of raw, unprocessed, bulk milk sold between distributors.

16. Effective time. When distributors who received from producers in June 1943 not less than 85 percent of the quantity of milk subject in that month to the provisions of Order No. 4, issued by the Secretary of Agriculture, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, shall have executed this agreement, it shall become effective on the date designated by the WFA Representative. This agreement shall be suspended at midnight on February 29, 1944, unless distributors who received from producers during January 1944 not less than 85 percent of the quantity of milk subject in that month to said Order No. 4 referred to herein desire to continue it. If suspended, the agreement shall again become effective for periods specified by handlers of not less than 85 percent of the milk subject to said Order No. 4 referred to herein during a month subsequent to February 1944, named by the WFA Representative if such handlers desire to reeffectuate the agreement. The agreement shall terminate at such time as the Director of the War Food Administration or his successor shall terminate the designation of a WFA Representative.

17. Counterparts. This allocation agreement may be executed in multiple counterparts, and all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were obtained in one original.

In witness whereof, this agreement is hereby executed.

#### PARTICIPATING DISTRIBUTORS

Bellows Falls Co-operative Creamery, Inc., by Geo. H. Thompson, Clerk of the Cpn.

David Buttrick Co., by D. H. Buttrick, Pres. Cabot Farmers' Co-operative Creamery Co., Inc., by Joseph L. Trombley, Mgr. H. P. Hood & Sons, Inc., by D. N. Goyer.

Lyndonville Creamery Association by H. A. Smith, Mgr.

Manchester Dairy System, Inc., by Carl A. Smith Gen'l Mgr.

Milton Co-operative Dairy Corporation, by Geo. V. Roberts, Mgr.

New England Dairies, Inc., by P. B. Beck. A. J. Robinson, d/b/a Mountain View Creamery, by A. J. Robinson.

St. Albans Co-operative Creamery, Inc., by R. C. Sunderland.

United Farmers' Co-operative Greamery Association, Inc., by Edwin H. Davenport,

Valley View Creamery, Roland Seward, by

Roland Seward.
White Bros., by Allan R. White, Treas.
Whiting Milk Company, by A. A. Stickler,

SAMUEL W. TATOR, . . WFA Representative.

SEPTEMBER 21, 1943.

[F. R. Doc. 43-15955; Filed, September 30, 1943; 11:34 a. m.]